

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 8, 2019

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Biale, 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:
Contract Negotiations-Shared Service Agreement; Affordable Housing.
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.

No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Knapp, 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; Michael Carelli, Assistant to the Administrator; Brian Chewcaskie, Borough Attorney; David Young, CFO.

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.

The Oakland Board of Education did a roll call and the meeting announcement was read by Board Vice-President James Gaffney.

MAYOR'S REPORT:

Mayor Schwager congratulated the Green Team. They planted 497 trees in Great Oak Park as part of Roots for Rivers grant. She thanked everyone who donated their time. The Green Team is collecting recyclable plastic in a white box at the Library. The Borough will have a paper shredding event on May 11th from 9 to 1 pm. The Fire Department Ladies Auxiliary will have a Strawberry Festival on May 14th. The Memorial Day Parade will be held May 26th at 1 pm with a ceremony after the parade. The Fever Pitch Baseball & Softball Parade will be held June 1st at 10 am. The carnival will be held June 12th to June 15th. The fireworks will take place on Friday June 14th. Mayor Schwager reminded residents not to leave garbage out because of the bears. The bathrooms by the Danny D'Elia guilding should be open by Monday. The great lawn in Great Oak Park is now done. The Green Team received a \$ 2,000 grant award from Sustainable Jersey.

DISCUSSION ON SCHOOL ELECTION:

Mayor Schwager explained that the Governing Body receives calls from residents. After seeing the low turnout and hearing the cost of the last school election, the Mayor and Council would like to hear the pros and cons of April vs. November to hold the school election.

Board of Education Vice-President James Gaffney advised that 2012 legislation allowed the move of school elections to November. A move to November would eliminate the vote on the school budget if it was under 2%. If a school election was moved to November, it couldn't be switched back for 4 years. In 2016, there was a moratorium that school elections couldn't be moved until 2018. He explained that if the school board got 1066 signers on a petition, they would have put the question on the ballot for the voters to decide. However, the petition only received 908 signatures. At the time, the Board of Education decided to keep the election in April.

Mr. Gaffney watched the last Council meeting where a resident said he didn't go the Board of Education to ask about the school election because the Mayor had been stone-walled. Mr. Gaffney made it clear that the Board of Education has met three times with the Mayor and several Council members to discuss the election. Mr. Gaffney advised that in August 2016, a survey monkey was put together to get a response on the school election. There were 852 people who

responded and 583 wanted the election in April while 296 wanted it in November. The Board of Education has been working together with the Mayor and Council to try to come up with a solution.

Mr. Gaffney reiterated that if the school election is moved to November, the school board is the only one controlling the budget. This year 482 people voted which made the Board work harder on the budget. Councilman Levy asked if the Board notified the public of the cost of the election. Mr. Gaffney explained that information was included in the survey monkey questionnaire. Superintendent Dr. Coffaro advised that the survey was put on the Borough website, on the Board of Education website and in the Senior Center.

Mayor Schwager commented that more people responded to the survey than voted in the election. Councilman Biale commented that a 3% turnout is dismal. He thinks people don't even realize that there is an election in April. Mr. Gaffney reiterated that if the election is moved to November people would not vote on the budget. This year's budget increased 2.88%. Mayor Schwager asked how many people come to the public hearing on the budget. Dr. Coffaro explained that the budget is presented in a joint meeting with all the PTO's. Mayor Schwager asked if the Board considered sending out vote by mail applications.

Councilman Levy asked the hours of the election. Mr. Gaffney responded that the hours are 2 pm to 8 pm. Councilman Kulmala commented that some districts are moving the election back to April. Mr. Gaffney responded that more and more districts in Bergen County are saying they should not have moved the election to November. He stated it would be easier for the Board to move to November because then they wouldn't have to be accountable like they are now with the budget. Councilman Knapp asked if people have to vote in the same districts because maybe the cost of the election could be reduced by reducing the amount of polling places. Councilman Talamini responded there are guidelines on how far away the polling places can be.

Mayor Schwager commented that it's great that people have the right to vote. The biggest negative is how many people are actually coming out to vote. If the Board of Education wants to keep the election in April, then we need to work together to get people to vote. Councilman Pignatelli spoke about publicity in the town calendar that is coming out next year and on the new electronic sign that will soon be coming. Mayor Schwager asked if the Board would consider televising their meeting on the budget presentation. Councilman Levy commented that the Board's reasoning for having the election in April is sound and the Board members are the education professionals. Councilman Biale commented that the Board needs to encourage more people to vote in the election. Councilman Pignatelli advised that having a public meeting on the budget would help. Councilman Biale suggested starting in January to make people aware of the April election and encouraging people to vote through publicity.

Beverly MacKay, Superintendent of the Ramapo Indian Hills school district, advised that Ramapo Indian Hills along with Wyckoff and Franklin Lakes hold their school elections in November. It would be confusing to the students to publicise the election in April when Oakland is the only one holding an election. She advised that the district does register kids to vote when the turn 18.

Councilman Kulmala suggested maybe putting something in the parent portal to make the parents more aware of the election. He suggested having the candidates air a message on Channel 77 to build interest in the community. Councilman Knapp asked why the other FLOW towns hold the election in November as well as so many Bergen County towns. Board member John Scerbo responded that there a lot of towns that wanted to move back when the moratorium went in place in 2016. He explained that the Board works with the PTO's and the Oakland Education

Foundation to get the word out on the election. He commented that the Board does not want to focus on politics, they want to focus on education. Mr. Scerbo advised that people move to Oakland because the education system is top notch and the Recreation program is excellent. He commented that there are not a lot of candidates for the Board of Education but there are not a lot for Mayor and Council either. He thinks that working together to get people to vote is ideal. Councilman Biale has spoken to the County Clerk who is working on trying to isolate the school candidates away from the politics in November.

Ms. MacKay advised that the Regional School Board has had no discussion about moving back to April. Even though their election is in November, the RIH Board still goes line by line on the budget. Councilman Kulmala asked what made RIH move the election to November. Ms. MacKay responded that almost everyone moved to November at the time. Councilman Kulmala asked what guidance the Bergen County School Board Association gives. Mr. Gaffney responded that last year, the Association put together an ad-hoc committee to see why not everyone wants to move back to April. The result was that it is easier for school boards in November because there is no vote on the budget.

Dr. Coffaro explained that everything the Board of Education does is for the students. The five Board members dedicate thousands of hours. State code mandates that schools teach civics and that students understand the processes of government. We have to make the students understand that their voices matter. Mayor Schwager advised that she has three kids who went through the Oakland school system and got a great education. She thanked the local and Regional Boards of Education for all they do. She advised that the bottom line is how to get more people to come vote.

Board member Pete Mazzilli advised all the Board members want to keep the election in April. It is not right to take away the right of the public to vote. The object is to get as many people to the polls as possible. It would be easier for the Board to move the election to November but they are doing what is best for the community. Councilman Knapp asked someone to explain the 2% cap and the risk to move the election to November. School Business Administrator Annette Wells explained that there is a 2% cap on the levy. With election in November, if the budget was under the 2% cap, the voters would not vote. However, even if the budget were over the 2% cap, there are waivers and exceptions that can be applied so the public still would not vote on the budget. This year, the school budget was at 2.88% and they would have been able to apply waivers so there would have been no vote if the election was in November.

Councilman Knapp thinks that everyone has great points but everything everyone has spoken about would still happen in November. Councilman Talamini advised that there would be no vote on the budget. Councilman Levy commented that apparently the County is not set up to properly address the School Board's concerns in a November election. Dr. Coffaro explained that the school board election is the only opportunity for the taxpayers to vote on the budget and affect how their tax dollars are spent. Mayor Schwager asked if the election is moved to November, how long would it be before they can switch back if needed. Mr. Gaffney responded that once the election is moved, it cannot be changed for four years. Mr. Mazzilli advised that the vote on the budget gives accountability and it gives the residents a voice on how a large chunk of their taxes are spent.

Councilman Kulmala commended the Board on the civics lessons they are providing to the students in Oakland. The pillars of the community are the schools and Recreation. He hates to move the election if it is working well. It makes the School Board accountable to have the residents vote. The School Board is doing a great job. Councilman Biale congratulated the

Board on teaching the students civic responsibility. Councilman Talamini thanked the Board of Education for all they do.

OPENED FOR PUBLIC DISCUSSION:

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

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

Beverly MacKay, Superintendent Ramapo Indian Hills School District, thanked the Mayor and Council for their support of the two high schools. Ms. MacKay advised that the Mayors of the three FLOW towns have been invited to the Student Council meetings. She thanked the Mayor and Council for the time they put into our schools.

Russell Talamini, Seminole Avenue, is representing the 11u travel baseball team. They are raising money for the Cooperstown trip and are selling tickets to the June 21st Yankees game.

CLOSED FOR PUBLIC DISCUSSION:

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

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

The Board of Education adjourned and left the meeting.

APPROVAL OF MINUTES: MARCH 23, 2019 BUDGET

On motion of Councilman Biale, seconded by Councilman Talamini, the minutes from the Mayor and Council Budget meeting of March 23, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 2, 2019 BUDGET

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Budget meeting of April 2, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 10, 2019

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of April 10, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 24, 2019

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of APRIL 24, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 2, 2019 EXECUTIVE SESSION

On motion of Councilman Levy, seconded by Councilman Biale, the minutes from the Mayor and Council Executive Session of April 2, 2019 be approved.

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

APPROVAL OF MINUTES: APRIL 10, 2019 EXECUTIVE SESSION

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council Executive Session of April 10, 2019 be approved.

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

APPROVE RAFFLE LICENSE RL1359:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted to Raffle License RL1359 for Indian Hills Parents Athletic Committee to hold an on-premise 50/50 on May 16, 2019 at Indian Hills High School, 97 Yawpo Avenue.

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

APPROVE RAFFLE LICENSE RL1360:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted to Raffle License RL1360 for Indian Hills Parents Athletic Committee to hold an on-premise raffle for merchandise on May 16, 2019.

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

APPOINTMENT: PUBLIC EVENTS COMMITTEE

Mayor Schwager brought forth the nomination of Andrea Levy to fill an unexpired term on the Public Events Committee.

Motion to Consent:

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

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

APPOINTMENT: OAKLAND COMMUNICATIONS COMMISSION

Mayor Schwager brought forth the nomination of Andrea Levy to fill an unexpired term on the Oakland Communications Commission due to the resignation of Anders Hesseler.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointment of Andrea Levy to an unexpired term on the Communications Commission. The term will expire December 31, 2019.

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

**PUBLIC HEARING ON THE BUDGET:
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 Levy, seconded by Councilman Biale, this portion of the meeting be closed to public discussion.

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

RESOLUTION 19-153 BUDGET AMENDMENT

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

WHEREAS, the local municipal budget for the year 2019 was introduced on the 10TH day of April, 2019 and

WHEREAS, the public hearing on said budget will be held as advertised on May 8th, and

WHEREAS, it is desired to amend said introduced budget,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, County of Bergen, New Jersey that the following amendments to the introduced budget of 2019 be made:

	<u>From</u>	<u>To</u>
GENERAL REVENUES		
3. Miscellaneous Revenues – Section F		
Special Items of General Revenues Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations		
Sustainable New Jersey	0	2,000
Total Section F	50,470.50	52,470.50
Total Miscellaneous Revenues	3,426,439.50	3,428,439.50

5. Subtotal General Revenues	4,941,939.50	4,943,939.50
7. Total General Revenues	19,905,134.35	19,907,134.35
GENERAL APPROPRIATIONS		
8. (A) Operations – Within “CAPS”		
	<u>From</u>	<u>To</u>
GENERAL GOVERNMENT FUNCTIONS		
Insurance		
Insurance Group Health	1,880,000.00	1,867,091.26
	<u>From</u>	<u>To</u>
(2) STATUTORY EXPENDITURES		
Contribution to:		
Police and Firemen’s Retirement System of N.J.	894,223.00	907,131.74
GENERAL APPROPRIATIONS		
(A) Operations – Excluded from “CAPS”		
	<u>From</u>	<u>To</u>
PUBLIC AND PRIVATE PROGRAMS		
OFFSET BY REVENUES		
Sustainable New Jersey	0	2,000
Total Public and Private Programs Offset by Revenues	54,939.50	56,939.50
Total Operations Excluded from “CAPS”	1,218,620.50	1,220,620.50
	<u>From</u>	<u>To</u>
9. Total General Appropriations	19,905,134.35	19,907,134.35

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Oakland does hereby approve this amendment to the introduced budget for the Fiscal Year 2019.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the Fiscal Year 2019 local municipal budget so amended.

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

RESOLUTION 19-140 BUDGET ADOPTION

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

SECTION 2 - UPON ADOPTION FOR YEAR 2019 (Only to be included in the Budget as Finally Adopted)									
RESOLUTION									
Be It Resolved by the	Governing Body					County of	Bergen	of the	Borough
of	Oakland								
that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:									
(a) \$	14,136,613.85					(item 2 below) for municipal purposes and			
(b) \$						(item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,			
(c) \$						(item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in			
						Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of			
						the following summary of general revenues and appropriations.			
(d) \$	217,671.30					(Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy			
(e) \$	826,581.00					(Sheet 38) Minimum Library Levy (R.S. 40:54-8 et seq.)			
RECORDED VOTE									
(insert last name)		AYES				Nays			Abstained
									Absent
SUMMARY OF REVENUES									
1. General Revenues									
Surplus Anticipated							08-100	\$	1,510,000.00
Miscellaneous Revenues Anticipated							13-099	\$	3,428,439.50
Receipts from Delinquent Taxes							15-499	\$	5,500.00
							07-190	\$	14,136,613.85
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)									
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:									
Item 6, Sheet 41							07-195	\$	
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)							07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only									
4. To Be Added to the Certificate for Amount to Be Raised by Taxation for SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:									
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)							07-191	\$	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY									
							07-192		826,581.00
Total Revenues							13-299	\$	19,907,134.35
Sheet 41									
SUMMARY OF APPROPRIATIONS									
5. GENERAL APPROPRIATIONS:									
Within "CAPS"							XXXXXXX	XXXXXXXXXXXXX	
(a&b) Operations Including Contingent							34-201	\$	13,641,189.26
(e) Deferred Charges and Statutory Expenditures - Municipal							34-209	\$	1,841,476.74
(g) Cash Deficit							46-885		
Excluded from "CAPS"							XXXXXXX	XXXXXXXXXXXXX	
(a) Operations - Total Operations Excluded from "CAPS"							34-305	\$	1,220,620.50
(c) Capital Improvements							44-999	\$	935,000.00
(d) Municipal Debt Service							45-999	\$	1,801,847.85
(e) Deferred Charges - Municipal							46-999	\$	
(f) Judgements							37-480	\$	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)							29-405	\$	
(g) Cash Deficit							46-885	\$	
(k) For Local District School Purposes							29-410	\$	
(m) Reserve for Uncollected Taxes (Include Other Reserves If Any)							50-899	\$	467,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S.A. 40A:4-13)									
							07-195	\$	
Total Appropriations							34-499	\$	19,907,134.35

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Talamini.
Nay, Councilman Pignatelli.

RESOLUTION 19-141 OPPOSE POWER PLANT

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

WHEREAS, Los Angeles-based Diamond Generating Corporation, a subsidiary of Mitsubishi, has proposed and has requested permits to build a \$1.5B, 1,200-MW natural gas-fired power plant (aka North Bergen Liberty Generating Station) in North Bergen, NJ on a 15-acre parcel near Railroad Avenue on the banks of Bellman's Creek. The electric energy produced by this plant would be transmitted by a 6.5 mile, 345-kV underground and submarine cable through North Bergen, Fairview, Cliffside Park and Edgewater and a new cable trench under the Hudson River to connect with ConED's substation on West 49th Street in Manhattan. All of this electricity

would be used by ConED in New York. The project is anticipating permit approvals by the Environmental Protection Agency and the New Jersey Department of Environmental Protection by the end of 2019, and to be operational by 2022;ⁱ and

WHEREAS, this natural gas plant would be one of the largest sources of air pollution and greenhouse gas emissions in New Jersey;ⁱⁱ and

WHEREAS, the municipality and town council of Oakland has a principal responsibility to protect the health and safety of its residents, businesses and institutions; and

WHEREAS, the people and environment of New Jersey have been increasingly subjected to a build-out of natural gas infrastructure, including but not limited to pipelines and distribution networks, compressor stations, power plants, combustion heating systems, metering and regulation stations, and pigging stations; and

WHEREAS, peer-reviewed scientific studiesⁱⁱⁱ link exposure between air pollutants emitted from natural gas infrastructure facilities and neurological, cardiovascular and respiratory disease, cancer, birth defects, and other adverse health impacts. Acute health impacts from these toxic exposures can cause burning eyes, headaches, breathing difficulty and nausea for nearby populations and can exacerbate health problems. Chronic health impacts can include certain types of cancer as well as damage to lungs, liver, kidneys, reproductive, nervous and cardiovascular systems; and

WHEREAS, the American Medical Association acknowledges the hazards of natural gas infrastructure and associated adverse health impacts; and

WHEREAS, the National Ambient Air Quality Standards (NAAQS) are based on average population risks across a large area over a long period of time but do not adequately address human toxicity for residents living in close proximity to natural gas infrastructure or where they are subject to episodic high exposures during events such as blowdowns; and

WHEREAS, on Feb. 7, 2010 a gas blow operation was being performed at the Kleen Energy Systems LLC power plant construction site in Middletown, Conn. in which flammable natural gas was pumped under high pressure through new fuel gas lines to remove debris. During this operation, an extremely large amount of natural gas was vented into areas where it could not easily disperse. Welding and other work was being performed nearby, creating an extremely dangerous situation. An explosion occurred when the gas contacted an ignition source taking the lives of six workers and injuring 50 others^{iv}; and

WHEREAS the top 11 electric plant operators in the U.S. have been fined over \$13.3B since 2000 for 161 environmental violations, and^v

WHEREAS, current protocols used for assessing compliance with ambient air quality standards do not adequately determine intensity, frequency or durations of actual human exposures to pollutants and mixtures of pollutants emitted from natural gas infrastructure, noting that periodic 24-hour average measures can underestimate actual exposures by an order of magnitude; and

WHEREAS, gas infrastructure facilities can annually emit into the air hundreds of tons of pollutants including particulate matter, toxic chemicals such as sulfur dioxide, mercury, and

criteria pollutants (such as nitrogen oxides which cause smog, acid rain and contribute to ozone production),^{vi} some of which are known carcinogens such as benzene and formaldehyde, and can also be sources of radioactive contamination^{vii} and are known to increase the severity of asthma and other respiratory diseases. Particulate matter, once inhaled, can affect the heart and lungs and cause serious health effects including lung cancer. Long-term exposure to ozone is linked to aggravation of asthma, emphysema, and chronic bronchitis, and it is likely to be one of many causes of asthma development. Long-term exposures to ozone may also be linked to permanent lung damage, such as abnormal lung development in children. Both ozone and particulate pollution have been linked to premature death, cardiovascular harm and increased susceptibility to infections. Recent studies have also linked air pollution to increases in obesity, diabetes, Parkinson's disease, Alzheimer's and other forms of dementia and stroke.^{viii} People most at risk from breathing air containing ozone include people with asthma, children, older adults, and people who are active outdoors, especially outdoor workers; and

WHEREAS, the best estimates of annual emission from the proposed power plant are based on a careful sample set of EPA data on U.S. gas-fired power plants of the same type (combined-cycle), similar vintage (online since 2012) and comparable size (complexes of over 300 megawatts) but nevertheless may differ from actual results due to a number of variations in the periodicity of EPA data collection and plant operating conditions. However, reasonable annual estimates are expected to be in the range of the amounts shown below. (Note: NO_x refers to nitrogen dioxide and nitric oxide, SO_x refers to many types of sulfur and oxygen compounds such as sulfur monoxide, sulfur dioxide, higher sulfur oxides, and disulfur oxides):^{ix}

- CO₂ = 3.5 million metric tonnes^x ^{xi}
- NO_x = up to 375,000 pounds
- Methane = 73 metric tonnes^{xii}
- SO_x = up to 30,000 pounds; and

WHEREAS, people who live or work in close proximity to natural gas infrastructure facilities such as power plants and compressors are most at risk—particularly developing fetuses, children, the elderly, and those with cardiovascular, lung or respiratory problems and other vulnerable subpopulations, although under certain weather and terrain conditions, these pollutants can have a wider impact. Some homes in New Jersey are within 3,000 feet of the proposed plant and Harlem/Upper Manhattan (where one in four children suffers from asthma), which is downwind of the prevailing winds, is within 3.6 miles; and

WHEREAS, based on the American Lung Association “State of the Air 2018” report, the counties of Bergen and Hudson, which will be most impacted by emissions from this power plant already have significant populations (in some cases the largest in New Jersey), with pediatric and adult asthma, COPD, lung cancer, cardiovascular disease and diabetes,^{xiii} whose conditions will only be exacerbated by additional volumes of air pollution; and

WHEREAS, developing fetuses and children are uniquely vulnerable to exposures as they receive proportionally greater doses of pollutants than adults and have immature organs and detoxification systems^{xiv}; and

WHEREAS, methane is the primary ingredient of natural gas and leaks at every system stage, including extraction, processing, transmission, distribution, and end-use consumption; and

WHEREAS, methane is an extremely potent greenhouse gas with a global warming potential that is 34 times that of carbon dioxide over a 100-year timeframe and 86 times that of carbon dioxide over a 20-year timeframe; and

WHEREAS, methane emissions from gas power plants may be considerably higher than previously thought. A 2017 study^{xv xvi} found that gas-fired power plants released more than 20 times more methane than the facilities had estimated; and

WHEREAS, Bergen and Hudson Counties (proposed site of the North Bergen plant) already receive grades of 'F' from the American Lung Association for ozone air pollution,^{xvii} the new plant will increase the concentration of ground ozone, increase the health hazards and risks from this pollutant and make it even more difficult to reduce the level of this pollutant. Conditions such as chronic obstructive pulmonary disease (COPD)—a long-lasting obstruction of the airways—can be exacerbated by even small increases in elevated ozone levels (e.g., an increment of 10 ppb), with a corresponding effect on public health and health care costs. As with chronic lung disease, even a small increase in the previous week's average ozone level has substantial effects on death rates. One study showed that a small (10 ppb) increase in ozone pollution was associated with a 0.52 percent increase in deaths per day. This study found that an estimated 3,700 deaths annually in the U.S. could be attributed to this small increase in daily ozone levels;^{xviii} and

WHEREAS New Jersey's environmental justice communities already have some of the worst air quality in the nation, building another massive gas power plant will only exacerbate their plight; and

WHEREAS, municipalities to the North and Northeast of the proposed gas-fired plants will be particularly impacted by the Palisades ridge to the East that will prevent pollution from being easily dispersed to the East on prevailing westerly winds; and

WHEREAS, the proposed gas-fired electric plant will be approximately one mile from an existing gas-fired electric plant operated by PSE&G that is already one of the largest sources of air pollution in New Jersey and which already produces over 2 million metric tons of CO₂ annually,

WHEREAS, of the top 10 companies (parent corporations) most penalized for environmental violations in the US, nine are in the petroleum and energy industry and five are in the electric energy production industry (American Electric Power, Duke Energy, Dominion Energy, FirstEnergy and Alliant Energy);^{xix} and,

WHEREAS, the proposed gas-fired plant will produce limited economic benefits to the town of North Bergen and, to a lesser degree, surrounding towns, this will primarily occur during the construction phase^{xx} (due, in part, to the fact that NJ electrical generating equipment is exempt from property tax) and after that the residents of these towns will continue to incur the health care costs associated with increased pollution for another 30 to 40 years; and

WHEREAS, the annual health impacts of burning 1 (one) Bcf/day of gas in the NY/NJ metropolitan area are estimated to be:^{xxi} ; and

Impact	Incidents per year	Societal Value*	Direct Medical and Other Costs
Premature Mortality	35.3	\$238,712,000	\$10,585,000
Chronic Bronchitis	22.3	\$10,554,000	\$2,700,000
Hospital+ER visits	32.8	\$432,000	\$345,000
Asthma Attacks	724.5	\$43,000	\$42,000
Respiratory	32,720	\$1,190,000	\$1,190,000

Symptoms			
Work Loss Days	6,374	\$1,160,000	\$1,079,000
Mercury Related	NA	\$12,277,000	\$13,277,000
Total		\$265,369,000	\$29,217,000

*Costs to consumers for which they are not reimbursed.

WHEREAS, an alternative approach to producing electricity from solar panels which would avoid all of the environmental and health issues noted in this resolution while still providing new jobs and other financial benefits to local towns and would be in conformance with Governor Murphy's goal to increase the use of renewable energy even if all of the electricity was sold to New York City, could potentially gain local support and should be considered; and

WHEREAS, the NJ Work Environmental Council has stated, "Climate justice is worker justice. We stand together for both worker protections and strong climate policies because we can't have one without the other. An injury to the planet is an injury to us all,"^{xxii} and

WHEREAS, the proposed gas-fired plant will provide electric energy to New York only, residents of Hudson and Bergen Counties and the rest of New Jersey will only incur the health care costs and environmental degradation caused by the plant during construction and operation; and

WHEREAS, the gas-fired power plant represents a direct threat to one of the state's most crucial ecological resources. Wetlands such as the Meadowlands serve many beneficial functions. They are a natural filtration system, purifying our water. They preserve biodiversity by hosting a number of plant and animal species. They play a crucial role in flood mitigation by absorbing storm waters, protecting urban or residential communities in nearby flood zones. The construction of and pollution from the proposed plant could affect quantity and quality of water flows, thereby harming the delicate animal and plant habitats in the wetlands and undermining their critical hydrological functions. The rehabilitation of the Meadowlands, which has been a triumph for the local groups that have worked hard to recover this area, would be squandered in order to provide power to New York City residents; and

WHEREAS, the plant will be within the half mile US DOT Evacuation Zone for oil train derailments which have been known to explode and can only be handled by letting them burn out; and

WHEREAS, location of the plant conflicts with the Regional Plan Association's 2017 finding of the Meadowlands being at risk from sea level rise. The RPA's Fourth Regional Plan^{xxiii} found that "of all the places in the tri-state region challenged by increased flooding from climate change, the New Jersey Meadowlands is at greatest risk." It also concluded that "The Meadowlands are also likely to be one of the first places to be permanently inundated from sea-level rise."; and

WHEREAS, geological changes along the East Coast are causing land to sink along the seaboard. This is exacerbating the flood-inducing effects of sea level rise, which has been occurring faster in the western Atlantic Ocean than elsewhere in recent years. A 2016 article in Scientific American^{xxiv} reported that Sandy Hook is sinking at the rate of over one inch per decade while regional sea level is rising at over three inches per decade; and

WHEREAS, construction would require digging a 40 foot trench through the Meadowlands to connect to Williams' Transco Pipeline, thus risking damage to sensitive wetlands. The

connection to the Williams pipeline may require upgrades to the line and expansion of its compressor station at Riverdale risking increases in dangerous emissions from the compressor station; and

WHEREAS, the owners of the proposed gas-fired plant have stated this is being built to replace the energy that will be lost when the Indian Point Nuclear Plant is closed,^{xxv} a 2017 study by Hudson Riverkeeper and the Natural Resources Defense Council states, "By 2023, assumed new energy efficiency and required new renewable energy [will] provide as much output as IPEC would have produced."^{xxvi}; and

WHEREAS, the proposed gas-fired plant will require 8.6M gallons of sewage discharge wastewater per day which will allow evaporation of chemicals in the water to contribute to the existing levels of air pollution; and

WHEREAS, the proposed plant will require diesel generator backups for winter gas shortage situations which in turn will require storage of 1M gallons of diesel fuel onsite which has inherent risks of spills and leakage which would produce additional air pollution as well as ground pollution to sensitive wetlands and nearby water bodies; and

WHEREAS, the gas-fired plant will require on site storage of chemicals such as ammonia, bleach and acids as well as trucks to supply these products this increases the potential for spills into nearby wetlands and streams; and

WHEREAS, the proposed gas-fired plant will increase the volume of fracked-gas used in New Jersey which will also increase the drilling and associated environmentally destructive activities associated with its production and transport^{xxvii} as well as increased pressure on New Jersey and the Delaware River Basin Commission to accept fracked waste water for disposal; and

WHEREAS, the proposed gas-fired plant will utilize fracked natural gas thus increasing the amount of energy produced by fossil fuels in direct opposition to Governor Murphy's commitment to moving New Jersey to 100% clean renewable energy usage. This type of massive fossil fuel infrastructure will last for several decades due to its large sunk costs (\$1.5B). This will increase long-term dependence on dirty fossil fuels and their associated environmental damage and health risks and is incompatible with the administration's energy goals. The average New Jersey gas-fired power plants went online 23 years ago and 13 percent of the state's gas plants went online more than 40 years ago.

THEREFORE, BE IT RESOLVED that the municipality and town council of Oakland, in the interest of protecting its residents, businesses and institutions, as of May 8, 2019, strongly opposes construction of the North Bergen Liberty Generating power plant.

BE IT FURTHER RESOLVED, that the Oakland Clerk shall forward this Resolution to

- New Jersey Governor Phil Murphy
- Commissioner of the NJ Department of Environmental Protection
- State Senator Gerald Cardinale
- State Assemblypersons Robert Auth and Holly Schepisi
- Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
- The Sierra Club – New Jersey Chapter, 145 W. Hanover Street, Trenton NJ 08618

- Hackensack Riverkeeper
- Hudson County Freeholders and Administration and all Hudson County Municipal Councils, Boards of Health and Environmental Commissions
- Bergen County Freeholders and Administration and all Bergen County Municipal Councils, Boards of Health and Environmental Commissions
- League of New Jersey Municipalities
- NJ Advance Media

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

RESOLUTION 19-142 AUTHORIZE WELLNESS PROGRAM

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

WHEREAS, the Borough of Oakland 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 I for 2019 and Phase II for 2020 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 Borough of Oakland 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 I, ending December 31, 2019, will require the Municipality to commit to and provide a \$150.00 incentive for each participating employee, and that Phase II ending December 31, 2020, will require the Municipality to commit to and provide a \$300.00 incentive for each participating employee. These incentives will be at the sole cost and responsibility of the Municipality.

BE IT FURTHER RESOLVED that the resolution shall take effect immediately and a copy of this Resolution shall be on file in the office of the Municipal Clerk.

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

RESOLUTION 19-144 AUTHORIZE ACCRUED TIME PAYOUT-G. GUSTERSON

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

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Gary Gusterson for sick, vacation, personal and compensatory time accumulated in the amount of \$ 48,296.04; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 46,296.04 composed of 24 hours of vacation time, .5 hours of sick time, and 12 hours of personal time and 423.5 hours compensatory time be paid out to Gary Gusterson. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

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

RESOLUTION 19-145 AUTHORIZE DEDICATION BY RIDER-RECYCLING CONTAINERS

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

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, P.L. 1981, c. 278 amended by P.L. 1987, c. 102 provides for the receipt of Recycling Program revenues by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Oakland Recycling Container Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements,

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received by the Oakland Recycling Container Program in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for the Oakland Recycling Container Program.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

RESOLUTION 19-146 AUTHORIZE CONTRACT-GEOTECHNICAL SERVICES FIRE CO. 1
On motion of Councilman Biale, seconded by Councilman Knapp, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need to perform a Subsurface Soil and Foundation Investigation for the Fire Co. 1 garage project; and

WHEREAS, Carlin-Simpson & Associates submitted a proposal dated January 21, 2019 in the amount of \$ 5,200 for the geotechnical services required; and

WHEREAS, the Architect and Borough Administrator have reviewed the proposal and recommend that a contract be awarded; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-761-100; and

WHEREAS, Carlin-Simpson & 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;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Carlin-Simpson & Associates in the amount of \$ 5,200 for the geotechnical services as outlined in their January 21, 2019 proposal for the Fire Co. 1 garage project.

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

Councilman Kulmala asked if we are on budget for this project and he asked the status. Councilman Knapp advised that the project is almost \$50,000 under budget. Councilman Kulmala asked a ballpark figure for the project. Councilman Knapp responded it is approximately \$ 200,000. The architect will draw up bid specifications once this test is complete.

ROLL CALL: Yeas, Councilmembers Biale, Levy, Pignatelli, Talamini.
Abstain, Councilmembers Knapp, Kulmala.

**RESOLUTION 19-147 AUTHORIZE GRANT SUBMITTAL-TENNIS COURT
RESURFACING**

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

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to non-profit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and

WHEREAS, the Borough of Oakland desires to further the public interest by obtaining a matching grant of \$ 8,250 from the County Trust Fund to fund the following project: Resurfacing Oakland Recreation Complex Tennis Courts; and

WHEREAS, the Governing Body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Governing Body will hold the required Public Hearing to receive public comments on the proposed park improvements in the application on May 22, 2019; and

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 20, 2019, as established by the County; and
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Oakland has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and

3. That the Mayor and Council of the Borough of Oakland is committed to providing a dollar for dollar cash match for the project; and
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the Mayor and Council of the Borough of Oakland agrees to comply with all applicable federal, state and local laws, rules, and regulations in its performance of the project; and
6. That this resolution shall take effect immediately.

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

RESOLUTION 19-148 FLOOD BUYOUTS-PHASE 3

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

WHEREAS, the Borough of Oakland desires to acquire properties for the purpose of floodplain protection; and

WHEREAS, the acquisitions consist of a total of five (5) properties as follows in order of priority:

Project Area: Lenape Lane

Priority Properties:

- #1 – 18 Lenape Lane, Block 1404, Lot 9
- #2 – 19 Lenape Lane, Block 1606, Lot 40
- #3 – 20 Lenape Lane, Block 1404, Lot 8
- #4 – 21 Lenape Lane, Block 1606, Lot 39
- #5 – 22 Lenape Lane, Block 1404, Lot 7

WHEREAS, the Borough of Oakland desires to apply for a grant through the Bergen County Floodplain Protection Program for the funding of the application of the listed properties with this application; and

WHEREAS, the Borough of Oakland desires to authorize the execution and submission of said application to the Bergen County Floodplain Protection Program and the acceptance of said funds in the event the Borough of Oakland is awarded the grant.

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Oakland, County of Bergen, State of New Jersey as follows:

1. The Borough of Oakland hereby authorizes and endorses the application for a Bergen County Floodplain Protection Grant for the acquisition of properties in the Lenape Lane Project Area; and
2. The Municipal Council hereby authorizes and directs the Borough Administrator to execute said application and together with all other appropriate officers, employees, and professionals of the Borough of Oakland are hereby authorized and directed to take any and all necessary steps to effectuate the purposes of this resolution;

3. The Borough of Oakland hereby authorizes the acceptance of said grant funds in the event the same is awarded; and
4. This resolution shall take effect immediately.

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

RESOLUTION 19-149 AMEND SALARY RESOLUTION-CFO

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

WHEREAS, in accordance with his employment letter, the Chief Financial Officer is due a \$ 5,000 pay increase effective January 26, 2019;

NOW, THEREFORE, BE IT RESOLVED that effective January 26, 2019, David Young's salary will be \$ 87,000.

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

RESOLUTION 19-150 AUTHORIZE PRELIMINARY PLAN EXPENSES-INFLOW & INFILTRATION PROJECT

On motion of Councilman Biale, seconded by Councilman Knapp, 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 assess the existing Sewer Infrastructure and determine the extent of infiltration that would result in future replacement or repairs;

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 \$20,000.00.
- 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, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 19-151 AUTHORIZE SHARED SERVICE AGREEMENT-ELECTRICAL INSPECTOR

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

WHEREAS, the Borough of Oakland requires the services of an electrical subcode official and electrical inspector; and

WHEREAS, the Borough of Bloomingdale and the Borough of Oakland desire to share the services of the electrical subcode official and electrical inspector, which will be provided by the Borough of Bloomingdale ; and

WHEREAS, the Borough of Oakland desires to enter into a shared service agreement with the Borough of Bloomingdale which sets forth the obligations and responsibilities of each party as reviewed by the Borough Attorney, in the form attached to this Resolution.

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 shared service agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Borough of Bloomingdale, the Borough of Oakland Construction Office and Brian M. Chewcaskie, Borough Counsel.

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

RESOLUTION 19-152 AUTHORIZE REFUND TAX OVERPAYMENT-60 SKYLINE DR.
On motion of Councilman Biale, seconded by Councilman Knapp, 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 taxes due to an overpayment; and

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

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

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
402/42	Schlossberg, Robert T.	\$2,441.34

BE IT FURTHER RESOLVED that the refund be sent c/o Wells Fargo Real Estate Tax Service, 4101 Wiseman Blvd, Bldg. 203, San Antonio, Texas 78251.

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

WORK SESSION:

PLANNING BOARD REQUEST TO AMEND ORDINANCE 07-CODE-560

Mr. Chewcaskie explained that the Planning Board brought to his attention that there was a glitch in the ordinance regarding RA4. The ordinance states if there was a deviation, the applicant

would have to go to the Board of Adjustment. Typically a deviation of the bulk standard would stay with the Planning Board. Mr. Chewaskie has prepared an ordinance to make the amendment. It will be listed for introduction at the next meeting.

NEW BUSINESS:

Councilman Knapp would like to pursue a Borough policy on flags. Federal law needs to be researched as well for this project.

Mayor Schwager announced that the County will be holding a Military Appreciation ceremony on May 17th to thank veterans.

COUNCIL REPORTS:

Councilman Knapp: After seven years, the Great Lawn is a reality. He thanked Vanderbeck and James Construction for donating labor to the project and thanked all the volunteers. The lawn was seeded last week. The Green Team planted 500 trees around the C1 stream and was helped by over 40 volunteers. There is an Eagle Scout currently working on a project to cut vines which are choking trees. The Park Committee met with Peter Marcalus to discuss his sculpture.

Councilman Levy: There was no Flood Commission meeting last month. They will meet Monday May 13th at 7:30 pm at Borough Hall. The Shade Tree Commission is starting a logo contest. They plan to have a prize for the winning selection.

Councilman Pignatelli: The Environmental Commission met last night. Forty volunteers planted 497 trees along the C1 stream for the Roots for Rivers project. They removed invasive species at the Great Oak Park. On Saturday May 11th, the BCUA will hold a hazardous waste collection at Campgaw Reservation in Mahwah. On Saturday June 6th, there will be a collection of tires and electronics and there will be paper shredding. The Borough will hold its own shredding event on May 11th from 9 to 1 pm at Borough Hall. The Environmental Commission discussed using beet juice as alternative to using brine. They want the DPW to look into that for next year. The Environmental Commission would like Councilman Kulmala to come to the next meeting to discuss the water report and putting together an education program.

Councilman Biale: The Senior Center will hold bingo on May 16th at 1 pm and movie day on May 22nd at 1 pm. There is a new email distribution list being maintained by the Senior Center Director. There is a walking program which will be held Tuesdays for the months of May and June. There will be a special guest from the Borough on each walk. There will be a lunch and learn with an elder care attorney on May 30th. The work to complete the 2018 road project began May 6th. It will include Chicasaw, Pima Ct., West Sheffield, Saratoga, Gates End and the First Aid Squad parking lot. The DPW has agreed to plant 30 trees at the direction of the Shade Tree Committee. The Borough will hold a shredding event Saturday May 11th and the DPW employees will assist. On May 14th, the Borough is expecting a flower delivery for the 100 planters that line Ramapo Valley Road. A special thank you to Ronnie and Larry Levine for their continued generosity in purchasing the planters and flowers each year. There will be a Historic Awards ceremony tomorrow at the County. Some members of the Oakland Historical Society will attend.

Councilman Kulmala: The Recreation Commission met on April 29th. Signups are ongoing for fall sports. The Recreation bathrooms will be open next week if all goes well. At the first meeting in June, the travel basketball team will be honored. There was a meeting last week to discuss the roller hockey rink. The annual Recreation Hall of Fame ceremony will be held June 17th at 6 pm. The OCC met on May 6th. They are looking for volunteers. There will be changes

on the access channel with the roll out of a new bulletin board. The Water & Sewer Committee met on April 26th. Bi-weekly meetings are being held because there is so much happening with sewers. He commended the Green Team on the amount of trees they planted. Councilman Kulmala welcomed Andrea Levy to the OCC.

Councilman Talamini: No report.

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.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Levy, 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 Talamini, seconded by Councilman Levy, the meeting be adjourned at 9:29 pm.

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

Lisa M. Duncan, Borough Clerk
May 22, 2019

Mayor Linda H. Schwager

Date Approved
