

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA ZOOM VIDEO CONFERENCE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JUNE 9, 2021

MEETING CALLED TO ORDER: By Mayor Schwager at 7:31 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; John Yakimik, Borough Engineer.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced that this meeting is being held in accordance with the Open Public Meetings Law, duly announced, submitted to the newspaper and advertised more than 48 hours in advance of the meeting and notice posted in the Municipal Building and on the Borough website.

MAYOR'S REPORT:

Mayor Schwager advised she was contacted by a resident about flying the flag at half-mast on Saturday for the funeral service of Dr. David Abed who was the doctor for the Police Department and Indian Hills years ago. She stated the Council can discuss under New Business. Mayor Schwager advised that Monday June 14th is the Flag Day ceremony which will be held at the Elks Lodge at 6:00 pm. The Carnival will be held June 23rd to 26th. Mayor Schwager was told there were lots of comments on Facebook about the fireworks. She advised it was the Public Events Committee's decision to cancel the fireworks due to logistics. The Senior Olympics will be held September 10, 11 and 12th in Woodbridge. The Library will have a seminar on June 10th regarding student transition for students with disabilities. Mayor Schwager advised that she will be pursuing the Access for All committee. There will be a film festival sponsored by the Green Team on June 19th in Franklin Lakes and pre-registration is required. There will be a FLOW presentation on Living with Wildlife. On June 10th, N.Y.S. & W. will be doing repair work at the Franklin Avenue crossing in Franklin Lakes and it will be closed. There will be road work done on Colfax Avenue in Pompton Lakes from June 7 to 20th.

OPENED FOR PUBLIC COMMENT:

On motion of Councilman Biale, seconded by Councilman Van Eck, this portion of the meeting be opened for public comment.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

No comments made.

CLOSED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

APPROVAL OF MINUTES: MAY 12, 2021

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of May 12, 2021 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

APPROVAL OF MINUTES: MAY 12, 2021 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of May 12, 2021 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

APPROVE RAFFLE LICENSE RL1404:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1404 for the Mothers Club of Oakland to hold non-draw raffle games on June 23, 24, 25 and 26, 2021 at the Oakland Recreation Fields.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

APPROVE SOCIAL AFFAIRS PERMIT:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for a Social Affairs Permit for the Oakland Elks Lodge for the Father's Day Steak Dinner on June 19, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-187 ADOPT CRS INFORMATION PROGRAM

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

WHEREAS, to ease the financial and flooding impacts to the residents, the Borough began a rigorous floodplain management program in 2013 that was recognized by the Federal Emergency Management Agency (FEMA) through the Community Rating System (CRS) for its progressive floodplain planning, maintenance and public outreach.

WHEREAS, the Borough holds a Class 7 CRS ratings affording Borough residents benefit from improved floodplain management and over \$50,000 in flood insurance premium savings based on a 15- percent flood insurance premium discount.

WHEREAS, in 2013, FEMA introduced a new approach to coordinate public information activities and develop activities that reflect what recent research by FEMA has found to lead to more effective outreach programs and the Program for Public Information (PPI) is the part of this approach.

WHEREAS, for CRS credit, the PPI had to be developed according to a seven- step planning and public involvement process. The PPI can increase credit by 40% and, with stakeholder involvement, 65%. The community's PPI must be developed by a committee of people from both inside and outside the local government.

WHEREAS, Richard Kunze, Chair, and the PPI Committee comprised of 7 members, and Agnoli Engineering, LLC, CRS consultant convened on April 21, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Program for Public Information has been reviewed by the Mayor and Council of the Borough of Oakland, County of Bergen and State of New Jersey and hereby approved for final submission to FEMA.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-207 CANCEL GRANT BALANCES

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

WHEREAS, there exist certain Grant Receivables and Grant Appropriated Reserves on the Balance Sheet that were adopted into previous Budgets for the Borough of Oakland; and

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

WHEREAS, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the following grant receivables and appropriation balances be cancelled:

Grant Fund

<u>Account</u>	<u>Description</u>	<u>Authorization Balance to Cancel</u>
G-02-04-703-000	Municipal Alliance – Receivable	\$ 5,368.82
G-02-05-703-002	Municipal Alliance - County	\$ 5,368.82
G-02-07-702-010	Drunk Driving Enforcement - Receivable	\$ 2,775.94
G-02-09-702-000	Drunk Driving Enforcement Fund	\$ 2,775.94

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-208 AUTHORIZE GRANT APPLICATION FY2021 COPS HIRING PROGRAM

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the submittal of an application to the U.S. Department of Justice for the FY21 COPS Hiring Program grant with a requested amount of \$ 125,000.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-209 HIRE CAMP STAFF

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

BE IT RESOLVED that the Mayor and Council hereby authorize the hiring of Summer Camp staff at their respective rates as per the attached list effective Monday June 28, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-210 LIQUOR LICENSE RENEWALS

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

WHEREAS, the licensees, herein named, filed applications for renewal of their Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses and Club Licenses for the period from July 1, 2021 to June 30, 2022, and

WHEREAS, the said applicants have deposited the required fee of \$2,000.00 for said licenses, with the exception of the Club Licenses which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED that the renewals be issued to the following licenses, pending receipt of all required paperwork from the NJ State Division of Taxation, for the period from July 1, 2021 to June 30, 2022:

NAME	LOCATION	STATE NUMBER
Long Hill Liquors Inc.	14 Post Road	0242-44-004-006
Tree House Hospitality	588 Ramapo Valley Road	0242-33-005-013
Hansil's Bar & Grill Inc.	7 Ramapo Valley Road	0242-33-011-004
Cenzino Ristorante LLC (Cenzino)	589 Ramapo Valley Road	0242-33-003-008
Beviamo, Inc.(Portobello)	155 Ramapo Valley Rd.	0242-33-010-003
Valley Spirits, Inc.(Oakland Wine & Liquor)	390 Ramapo Valley Rd.	0242-44-006-005
G & H Restaurant Corp.(Oakland Diner)	72 Ramapo Valley Road	0242-33-009-006
Elks Lodge, B.P.O.E. 2167	33 Ramapo Valley Road	0242-31-014-001
American Legion Post 369	65 Oak Street	0242-31-013-001
PCJJ, LLC (W's Grill)	20 Elm Street	0242-33-007-012

Ruga Restaurant, LLC/dba Trovato's Due	4 Barbara Lane	0242-33-001-013
Holiday Spirits (Holiday Bowl)	29 Spruce Street	0242-33-012-004

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to submit one copy of a certified resolution to the Alcoholic Beverage Control Commission, Trenton, and one certified copy of this resolution to the State of New Jersey, Department of the Treasury, Beverage Tax Bureau, Trenton, New Jersey.

ROLL CALL: Yeas, Councilmembers Kulmala, Slasinski, Talamini, Van Eck.
Abstain, Councilmembers Biale, Pignatelli.

RESOLUTION 21-211 CHAPTER 159 BODY WORN CAMERA GRANT

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

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Oakland has been awarded an OAG WBC Grant in the amount of \$52,988 for the purpose of implementing a Body Worn Camera solution for the Oakland Police Department and wishes to amend its 2021 budget to include this amount as a revenue,

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Oakland hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written
Consent of Director of Local Government Services - Public and
Private Revenues Offset with Appropriations:
Body Worn Camera.

BE IT FURTHER RESOLVED that a like sum of \$52,988 be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Appropriations Offset by Revenues:
Body Worn Camera
Other Expenses - \$ 52,988

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini,

Van Eck.

RESOLUTION 21-212 HIRE DPW LABORER

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

WHEREAS, the Borough of Oakland has a vacant position in the Department of Public Works; and

WHEREAS, the Borough Administrator and Superintendent of Public Works recommend that Francis Leonardis be appointed to fill the full-time vacancy; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough does hereby hire Francis Leonardis as a laborer in the Department of Public Works effective June 12, 2021 at an annual salary of \$ 40,603.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-213 HIRE DPW SEASONAL LABORERS

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

BE IT RESOLVED that the Mayor and Council hereby authorize the hiring of the following seasonal laborers for the Department of Public Works:

NAME	EFFECTIVE DATE	SALARY
Annie Krukis	June 28, 2021	\$ 13.00/hour
Justin Paysour	June 28, 2021	\$ 13.00/hour

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-214 AUTHORIZE RECREATION REFUND

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation fees; 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:

Malizia Family, 64 Cardinal Drive, Oakland, NJ amt. \$ 125 (IHHS Rec Football Camp)

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-215 AUTHORIZE APPLICATION-BULLETPROOF VEST GRANT PROGRAM

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

WHEREAS, The Bureau of Justice Assistance (BJA) is offering the Fiscal Year 2021 Patrick Leahy Bulletproof Vest Partnership (BVP) grant for bulletproof vests.

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the submittal of an application to the Bureau of Justice Assistance for the FY21 Patrick Leahy Bulletproof Vest Partnership grant with a requested amount of \$ 915.60 .

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

RESOLUTION 21-216 LIQUOR LICENSE RENEWAL-KNIGHTS OF COLUMBUS

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

WHEREAS, the licensee, herein named, filed application for renewal of their Club License for the period from July 1, 2021 to June 30, 2022, and

WHEREAS, the said applicant has deposited the required fee for the Club License which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED that the renewals be issued to the following licenses, pending receipt of all required paperwork from the NJ State Division of Taxation, for the period from July 1, 2021 to June 30, 2022:

NAME	LOCATION	STATE NUMBER
Knights of Columbus 5846	7 Courthouse Place	0242-31-017-001

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to submit one copy of a certified resolution to the Alcoholic Beverage Control Commission, Trenton, and one certified copy of this resolution to the State of New Jersey, Department of the Treasury, Beverage Tax Bureau, Trenton, New Jersey.

ROLL CALL: Yeas, Councilmembers Kulmala, Slasinski, Talamini.
Abstain, Councilmembers Biale, Pignatelli, Van Eck.

RESOLUTION 21-217 AFFIRMATIVE MARKETING PLAN

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

WHEREAS, in accordance with the regulations of COAH pursuant to N.J.A.C. 5:93-1, et seq., the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26., et seq., and in the Matter of the Application of the Borough of Oakland, County of Bergen, Docket No. BER-L-6274-15 regarding In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015)

("Mount Laurel IV"), the Borough of Oakland is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough of Oakland, are affirmatively marketed to low and moderate income households, particularly those living and/or working within Housing Region 1, which encompasses the Borough of Oakland

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, do hereby adopt the following Affirmative Marketing Plan:

Affirmative Marketing Plan

- A. All affordable housing units in the Borough of Oakland shall be marketed in accordance with the provisions herein unless otherwise provided in COAH's Rules at N.J.A.C.5:93-1, et seq.
- B. The Borough of Oakland has a Third Round obligation. This Affirmative Marketing Plan shall apply to all developments that contain or will contain low and moderate income units, including those that are part of the Borough's current Housing Element and Fair Share Plan and those that may be constructed in future developments not contemplated in the Borough's Housing Element and Fair Share Plan. This Affirmative Marketing Plan shall also apply to any rehabilitated rental units that are vacated and re-rented during the applicable period of controls for rehabilitated rental units.
- C. The Affirmative Marketing Plan shall be implemented by the Administrative Agent under contract to the Borough of Oakland. All costs of advertising and affirmatively marketing affordable housing units shall be borne by the developer/ seller/ owner of the affordable unit(s).
- D. In implementing the Affirmative Marketing Plan, the Administrative Agent, acting on behalf of the Borough of Oakland, shall undertake the following strategies:

1. Publication of one advertisement in a newspaper of general circulation within the housing region.
 2. Broadcast of one advertisement by a radio or television station broadcasting throughout the housing region.
 3. At least one additional regional marketing strategy using one of the other sources listed below.
- E. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in the region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the Borough is located and covers the entire period of deed restriction for each restricted housing unit. The Borough of Oakland is located in COAH Housing Region 1, and is comprised of Bergen, Hudson, Passaic and Sussex Counties.
- F. The Affirmative Marketing Plan is a continuing program intended to be followed throughout the entire period of restrictions and shall meet the following requirements:
1. All newspaper articles, announcements and requests for application for low and moderate income units shall appear in the Bergen Record and Star Ledger.
 2. The primary marketing shall take the form of at least one press release and a paid display advertisement in the above newspapers once a week for four consecutive weeks. Additional advertising and publicity shall be on an "as needed" basis. The developer/owner shall disseminate all public service announcements and pay for display advertisements. The developer/owner shall provide proof of publication to the Borough's Administrative Agent. All press releases and advertisements shall be approved in advance by the Borough's Administrative Agent.
 3. The advertisement shall include a description of the:
 1. Location of the units;
 - ii. Direction of the units;

- iii. Range of prices for the units;
 - iv. Size, as measured in bedrooms, of units;
 - v. Maximum income permitted to qualify for the units;
 - vi. Location of applications;
 - vii. Business hours when households may obtain an application; and
 - viii. Application fees.
4. Newspaper articles, announcements and information on where to request applications for low and moderate income housing shall appear at least once a week for four consecutive weeks in at least four locally oriented weekly newspapers within the region, one of which shall be circulated primarily in Bergen County and the other three of which shall be circulated primarily outside of Bergen County but within the housing region.
5. Four or more of the following regional cable television stations or regional radio stations shall be used during the first month of advertising. The developer must provide satisfactory proof of public dissemination:
- i. 2 WCBS-TV (CBS Broadcasting, Inc.)
 - ii. 4 WNBC (NBC Telemundo License Co., General Electric)
 - iii. 5 WNYW (Fox Television Stations, Inc., News Corp.)
 - iv. 7 WABC-TV (American Broadcasting Companies, Inc., Walt Disney)
 - v. 9 WWOR-TV (Fox Television Stations, Inc., News Corp.)
 - vi. 10 WCAU (NBC Telemundo License Co., General Electric)
 - vii. 11 WPIX (WPIX, Inc., Tribune)
 - viii. 13 WNET (Educational Broadcasting Corporation)
 - IX. 58 WNJB (New Jersey Public Broadcasting Authority)

6. Applications, brochure(s), sign(s), and/or poster(s) used as part of the affirmative marketing program shall be available/posted in the following locations:

- i. Oakland Municipal Building
- ii. Oakland Municipal Library
- iii. Developer's Sales/Rental Office
- iv. Bergen County Administration Building
- v. Hudson, County Administration Building
- vi. Passaic County Administration Building
- vii. Sussex County Administration Building.

Applications shall be mailed by the Administrative Agent to the prospective applications upon request. Also, applications shall be made available at the developer's sales/rental office and shall be mailed to prospective applicants upon request.

7. The administrative Agent shall develop, maintain and update a list of community contact person(s) and/or organization(s) in Bergen, Hudson, Passaic and Sussex Counties that will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region, including major regional employers.

- 1. Quarterly informational flyers and applications shall be sent to each of the following agencies for publication in their journals and for circulation among their members:

Bergen County Board of Realtors

Hudson County Board of Realtors

Passaic County Board of Realtors

Sussex County Board of Realtors

- ii. Quarterly informational circulars and applications shall be sent to the administrators of each of the following agencies in the counties of Bergen, Hudson, Passaic and Sussex:

Welfare or Social Service Board

Rental Assistance Office (local office of DCA)

Office on Aging

Housing Authority Community

Action Agencies

Community Development Departments

- iii.. Quarterly informational circulars and applications shall be sent to the chief personnel administrators of all the major employers within the region in accordance with the Region 1 Affirmative Marketing Plan.

- iv. Quarterly informational circulars and applications shall be sent to the following additional community and regional organizations:

Fair Share Housing Center Bergen

County Housing Coalition

The New Jersey State Conference of the NAACP

The Bergen County NAACP

Bergen Urban League

The Latino Action Network

- 8. A random selection method to select occupants of low and moderate income housing will be used by the Administrative Agent in conformance with N.J.A.C. 5:80-26.16(1). The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work COAH Housing Region 1 comprised of Bergen, Hudson, Passaic and Sussex Counties.
- 9. The Administrative Agent shall administer the Affirmative Marketing Plan. The Administrative Agent has the responsibility to income qualify low and moderate

income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units with income qualified households; to continue to qualify households for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:80-26.1, etseq.

10. The Administrative Agent shall provide or direct qualified low and moderate income applicants to counseling services on subjects such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law and shall develop, maintain and update a list of entities and lenders willing and able to perform such services.
11. All developers/owners of low-and moderate-income housing units shall be required to undertake and pay the costs of the marketing of the affordable units in their respective developments, subject to the direction and supervision of the Administrative Agent.
12. The implementation of the Affirmative Marketing Plan for a development that includes affordable housing shall commence at least 120 days before the issuance of either a temporary or permanent certificate of occupancy. The implementation of the Affirmative Marketing Plan shall continue until all low- income housing units are initially occupied and for as long as affordable units exist that remain deed restricted and for which the occupancy or re-occupancy of units continues to be necessary.
13. The Administrative Agent shall provide the Affordable Housing Liaison with the information required to comply with monitoring and reporting requirements pursuant to N.J.A.C.5:80-26-1, etseq.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-844 AMEND CHAPTER 3, SECTION 3-23
The Clerk was directed to take from table Ordinance No. 21-Code-844 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-844 entitled: " AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3 OF THE CODE OF THE BOROUGH OF OAKLAND ENTITLED "POLICE REGULATIONS", SECTION 3-23 ENTITLED

“CONSUMPTION BY PERSONS UNDER THE LEGAL AGE ON PUBLIC OR PRIVATE PROPERTY”

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend And Supplement Chapter 3 Of The Code Of The Borough Of Oakland Entitled “Police Regulations”, Section 3-23 Entitled “Consumption By Persons Under The Legal Age On Public Or Private Property, be introduced;

That said Ordinance be considered for final adoption at a meeting on June 23, 2021 via Zoom video conference, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 14, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-845 AUTHORIZE DEFERRED CHARGE

The Clerk was directed to take from table Ordinance No. 21-Code-845 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-845 entitled: " AN ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION OF \$200,000 FOR THE PREPARATION AND EXECUTION OF A REASSESSMENT PROGRAM”

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey, Providing For A Special Emergency Appropriation Of \$200,000 For The Preparation And Execution Of A Reassessment Program” , be introduced;

That said Ordinance be considered for final adoption at a meeting on June 23, 2021 via Zoom video conference, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 14, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-846 AMEND CHAPTER 3, SECTION 3-6
The Clerk was directed to take from table Ordinance No. 21-Code-846 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-846 entitled: " AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3 OF THE CODE OF THE BOROUGH OF OAKLAND ENTITLED "POLICE REGULATIONS", SECTION 3-6 ENTITLED "ALCOHOLIC BEVERAGES"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend And Supplement Chapter 3 Of The Code Of The Borough Of Oakland Entitled "Police Regulations", Section 3-6 Entitled "Alcoholic Beverages", be introduced;

That said Ordinance be considered for final adoption at a meeting on June 23, 2021 via Zoom video conference, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 23, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-847 AMEND CHAPTER 3, SECTION 3-24
The Clerk was directed to take from table Ordinance No. 21-Code-847 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-847 entitled: " AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3 OF THE CODE OF THE BOROUGH OF OAKLAND ENTITLED "POLICE REGULATIONS", SECTION 3-24 ENTITLED "SMOKE-FREE SCHOOL ZONES; UNDERAGE SMOKING"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend And Supplement Chapter 3 Of The Code Of The Borough Of Oakland Entitled "Police Regulations", Section 3-24 Entitled "Smoke-Free School Zones; Underage Smoking", be introduced;

That said Ordinance be considered for final adoption at a meeting on June 23, 2021 via Zoom Video conference, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 14, 2021 together with notice of this introduction and of the time and place for further

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-848 AMEND CHAPTER 9, SECTION 9-6
The Clerk was directed to take from table Ordinance No. 21-Code-848 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-848 entitled: " AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 9 OF THE CODE OF THE BOROUGH OF OAKLAND ENTITLED "RECREATIONAL FACILITIES AND RECREATION AREAS", SECTION 9-6 ENTITLED "SMOKING PROHIBITED ON RECREATION AREAS, PUBLIC PARKS AND BOROUGH PIERS AND BOAT LAUNCHES"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend And Supplement Chapter 9 Of The Code Of The Borough Of Oakland Entitled "Recreational Facilities And Recreation Areas", Section 9-6 Entitled "Smoking Prohibited On Recreation Areas, Public Parks And Borough Piers And Boat Launches, be introduced;

That said Ordinance be considered for final adoption at a meeting on June 23, 2021 via Zoom Video Conference, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before June 14, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

FINAL PUBLIC HEARING: ORDINANCE NO. 21-CODE-828 PROHIBIT CANNABIS
Mayor Schwager advised that the first meeting of the marijuana committee was held today. It was an extensive meeting. She thanked Borough Planner Steve Lydon, Mr. Kunze, Councilmembers Pignatelli and Van Eck, Mike Talucci, Mike Guadagnino, Matt Goodrich, Mike Rose and Frank DiPentima for participating on the committee. Councilman Pignatelli advised it was a very good meeting. He advised there is still a learning curve to the legislation. The committee will meet again on the 16th. The level of expertise on the committee was outstanding. Councilman Van Eck stated that the diversity of viewpoints and expertise was impressive. It was a positive meeting with great conversation. These people are committee to do the right thing for the residents. Mayor Schwager stated at the meeting next week, the committee will look at sample ordinances from other municipalities, the map of where schools are located and a list of vacant properties. Councilman Pignatelli stated it may be beneficial to do a site visit.

Mr. Chewcaskie advised that the adoption of this ordinance had been tabled. If someone removes it from the table, the ordinance can be voted on tonight. He stated if the Council does not wish to take action tonight, the ordinance should be left on the table.

Motion to Remove from the Table:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the final adoption of Ordinance 21-Code-828 be removed from the table.

ROLL CALL: Yeas, Councilmembers Kulmala, Pignatelli, Slasinski, Talamini.
Nays, Councilmembers Biale, Van Eck.

Councilman Pignatelli stated the Council can still take action on this issue six months from now when the rules and regulations are released. Councilman Talamini stated the Council can adjust the position once the rules are released. Councilman Van Eck asked what is the point to ban cannabis now since the Council does not have to act until August. The committee is doing research to present to the Council. Councilman Pignatelli stated that the Council does not have all the information from the Cannabis Commission. The Cannabis Commission has not passed one rule yet. Councilman Biale stated that if the ordinance is left on the table, it can still be discussed. Councilman Van Eck asked again what the rush is to pass an ordinance when the Council has until August. Councilman Talamini commented he feels safer banning it now and then opening it up after the rules are passed. Mr. Chewcaskie commented that a public hearing must be held. The Borough Clerk advised that the public hearing on this ordinance was already held.

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend And Supplement The Code Of The Borough Of Oakland With A New Chapter Entitled “Chapter 8, Cannabis, Prohibition Of All Classes Of Businesses” So As To Prohibit The Operation Of Any Class Of Cannabis Business Within The Geographical Boundaries Of The Borough Of Oakland And Further To Supplement Chapter 59 Entitled “Land Use And Zoning”, Article VII “Zoning”, Section 59-45 Entitled “Regulations Applicable To All Zones” So As To Prohibit The Use By Any Class Of Licensed Cannabis Businesses Upon Any Premises In Any Zone Of The Borough Of Oakland, 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: Yeas, Councilmembers Kulmala, Pignatelli, Slasinski, Talamini.
Nays, Councilmembers Biale, Van Eck.

Mayor Schwager stated that now the Council has prohibited all cannabis licenses. Councilman Pignatelli stated it is only until the committee can decide what license is best and the Cannabis Commission passes rules.

NEW BUSINESS:

Mayor Schwager advised she got questioned about letters sent out saying the Oakland Council is in support of Assemblyman Auth and she wants to make sure this was not paid by Oakland taxpayers.

Councilman Pignatelli asked about the policy on property maintenance code violations. The property on Ramapo Valley Road was not maintained for 5 or 6 weeks. He asked if the Borough

sent notices. He stated the Borough's code requires two notices to be sent to the property owner. In the meantime, the property looked terrible. Councilman Pignatelli wants to amend the ordinance to reduce the timeframe. Mayor Schwager asked if there is a requirement to send the property owner two notices. Mr. Chewcaskie responded that one notice to the property owner is reasonable and sufficient. Mayor Schwager asked if the DPW can be sent in to clean up the property if the owner does not comply. Mr. Kunze stated if the property is vacant and there is no response, the DPW can do a clean up. If the property is owner-occupied, the DPW cannot do the clean up. Mayor Schwager spoke about a vacant property on Andrew Avenue that took a long time for the Borough to do something about. Councilman Biale reported that property on Ramapo Valley Road a month ago and it took too long to take care of. He cannot understand what takes so long. Mr. Kunze responded that we are required to follow the code but that can be amended. He stated an amending ordinance could be introduced next meeting. Discussion ensued over work flow in the Construction office.

Councilman Kulmala advised there has been a dead deer carcass on Route 202 for 4 days. He asked if there is anything the Borough can do to get the County to be more proactive. He asked if the Borough can pick up the deer and bill the County. Mr. Kunze responded there is no mechanism to do that but he will talk to the County about a shared service. Mayor Schwager asked if we can have animal control do it. Mr. Kunze responded that the County has jurisdiction on County roads. Councilman Kulmala stated they should pick up the carcasses within 24 hours. Mr. Kunze will talk to the County.

OLD BUSINESS:

Councilman Van Eck advised that the Planning Board will be discussing the ordinances for distilleries, breweries and wineries tomorrow.

Councilman Van Eck asked if we need to discuss the mask policy for children outdoors at summer camp. Mr. Kunze responded he heard there will be revisions to the summer camp guidelines about mask requirements.

Councilman Van Eck asked for an update on Patriots Way Bridge. He stated the bridge remains safe for travel. Borough Engineer John Yakimik reiterated the bridge remains safe. He stated the Bergen County Soil Conservation approval should be issued at the end of June. Boswell will send plans to the DOT and Bergen County for review and comment around July 2nd. Mr. Yakimik expects to receive approval and comments by the end of August. He stated that bids would be advertised in September and received in October. The contract can be awarded in November and a pre-construction meeting held in December. The project will start after the new year. It will take ten months to construct the bridge. He advised that the price of the steel came down from \$ 1.3 million to \$ 1.2 million. The cost of the temporary bridge went up. Councilman Biale asked why the Borough is paying to move the utilities and not the utility company. Mr. Yakimik responded that the utilities are technically not moving except for the water main. The Borough is paying for a temporary support structure for the utilities. He explained that this option was chosen to save time. However, he will reach out to the utility companies to see if they will bear some of the cost. Councilman Kulmala asked if the utilities external affairs person can attend a Council meeting. Mayor Schwager stated she knows other towns have gotten the utility company to pay.

COUNCIL REPORTS:

Councilman Biale: Regarding water and sewer, DPW Superintendent Marcucilli has advised that are routine failures at critical locations. The Water Accountability Act required a water main replacement plan and no improvements have been done to date. He stated that the Borough needs

to start on the list of improvements discussed. Mr. Kunze advised that the capital ordinance that will fund a number of those initiatives such as the Iroquois pump station and \$ 800,000 for water main replacements will be on the next agenda. Councilman Biale advised that we are working on easements for the Ramapo Valley Road sidewalk project. Mr. Chewcaskie advised that 5 of 6 easements were sent. Councilman Biale advised that Boswell will notify property owners when the Skyview lining project begins. The Borough is waiting for IBank approval for the sewer plant decommissioning project. Mr. Kunze advised that the CFO regularly follows up with the IBank for updates. Mr. Yakimik responded that Boswell regularly contacts IBank as well. Councilman Biale advised that Allied sign will be working on the digital sign and footings will be installed in the next couple of weeks.

Councilman Kulmala asked if Ramapo Valley Road is going to be paved this year. Mayor Schwager stated that no date has been given. Councilman Kulmala asked if it would make sense to coordinate with the County so they don't pave before the force main is put in. Mr. Yakimik advised that he has no indication when the County is going to pave. If we get the go ahead for the decommissioning project and have a contractor onboard, we could then coordinate with the County. Councilman Pignatelli asked about the sewer grate on Ramapo Valley Road by Staples. Mr. Yakimik will ensure the County raises it when they do the paving.

Councilman Van Eck: The Shade Tree Commission needs two members. The Shade Tree Commission is moving forward with legacy mapping and they are asking for a group to review the existing and proposed tree ordinances to give feedback. The Recreation Hall of Fame ceremony was held Saturday. It was a very powerful ceremony and a field was officially named after Gary Walker. Councilman Van Eck advised at the next meeting held in-person, the champion junior roller hockey team will be honored. Registration is ongoing for soccer, cheerleading, football. The Indian Hills Click Clack Front and Back is running their PSA's on the tv channel. The tv committee is having matinee movie month. The Borough's channel will go to full HD on Verizon. The next OCC meeting will be held July 12th at 7:30 pm.

Councilman Pignatelli: There is limited space for the Senior Barbeque on Tuesday June 22nd. There is a \$ 12 registration fee and the parking lot will be closed for the event.

Councilman Kulmala: The Park Committee met yesterday. The bandshell is the only outstanding project for Great Oak Park. The Borough is waiting for grant notifications. Arts Amble will be held June 11th to 13th.

Councilman Talamini: The Valley Middle School graduation will take place on June 21st at 5:30 pm. The raindate will be June 22nd. Safety Town will be held for incoming kindergarteners. The high school graduations will take place June 24th-Ramapo will take place at 4:30 pm and Indian Hills at 6:30 pm. The Finance Committee will meet to discuss Councilman Van Eck's concerns on the capital ordinances. Public Events is moving forward with the carnival. The Public Events Committee made a tough decision not to have the fireworks in order to allow more room for the carnival. The committee is just as upset as the public but there will be fireworks again in the future. The Public Events Committee is a great group of people.

Councilman Slasinski: The Library air conditioning units are being worked on. The Library has been getting hot so residents may want to check on conditions before going to the Library. The Arts Amble will be held June 11th to 13th at the Library. Summer reading is ready to kick off. There will be an ice cream truck on June 29th and registration is required. The Library has rooms available for use for the public.

Mayor Schwager asked for an answer on the Republican mailing for Assemblyman Auth. Councilman Talamini responded that it was paid for by Assemblyman Auth and Councilman Talamini had pointed out the the proper language was not on the mailer.

Mayor Schwager wants to ensure safety before the Council meets at the Council Chambers. Mr. Kunze advised that the HVAC system has been upgraded with a UV disinfection system. Mr. Kunze advised that the Executive Order says there is no social distance or mask requirement for those that are vaccinated. Councilman Van Eck questioned if someone is not vaccinated but has antibodies. Mr. Kunze responded that the Executive order does not talk about that scenario. Mayor Schwager asked if the Council can still do Zoom one last meeting. Mr. Chewcaskie advised that the entity will establish rules for the public meetings. The entity can require social distancing and masks. Councilman Biale advised that the County requires masks if walking through the building. Councilman Talamini does not want to make anyone uncomfortable but he is not comfortable doing Zoom.

Mayor Schwager asked about having the meeting in the Senior Center. She stated she would prefer one more meeting via Zoom. Councilman Talamini asked if it is possible for the meeting to be shown on the tv channel at the Senior Center. Mr. Kunze responded that the meeting can be shown live on YouTube but he is not sure about Channel 77. Councilman Talamini asked if the meeting can be done with no tv. Mr. Chewcaskie responded that it is not a requirement for meetings to be broadcast. Mr. Kunze reiterated the meeting will be broadcast via YouTube. Councilman Van Eck does not want to go to the Senior Center because it is not ideal. Councilman Talamini feels bad forcing people if they are not comfortable at the Council chambers. He suggested having at the Senior Center but not having the roller hockey team at the meeting if it will not be broadcast on tv. Councilman Pignatelli stated that the point of having the meeting televised is the children have their moment of fame. He wants the meeting in the Council Chambers so they can be on tv. Councilman Talamini stated that the Council has to move forward. Councilman Kulmala wants to honor the hockey team properly. Councilman Talamini asked if it can be moved to October. Councilman Van Eck stated he will ask the hockey team if they would move the presentation to October to kick off the hockey season. Mayor Schwager asked for one more Zoom meeting and then in-person meetings could start in July. Councilman Talamini stated that the Council does have to move forward.

OPENED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

No comments made.

CLOSED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

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, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Van Eck, the meeting be adjourned at 9:16 pm.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski, Talamini, Van Eck.

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk
July 14, 2021

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager