

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD VIA ZOOM VIDEO CONFERENCE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY JULY 22, 2020

MOVE TO EXECUTIVE SESSION:

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Affordable Housing Litigation; Personnel
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

CLOSE EXECUTIVE SESSION:

On motion of Councilman Talamini, seconded by Councilman Pignatelli, the Executive Session be closed.

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

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, Knapp, Levy, Pignatelli, 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 this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings and held with the guidelines set up for this COVID-19 crisis.

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**MAYOR'S REPORT:**

The next Hazardous Waste collection will be September 12<sup>th</sup> at Campgaw in Mahwah. Residents have complained about employees at businesses not wearing masks. Mayor Schwager advised that the Police need to be called at that time so they can go enforce. Mayor Schwager advised that someone in the 6<sup>th</sup> grade camp tested positive for COVID-19. All CDC guidelines were followed. The open camp is cancelled for the remainder of the summer due to the insufficient number of counselors. The camp is keeping everything as safe as can be although nothing is 100%. Baseball, softball and lacrosse are still being played. Mayor Schwager advised a letter went out today from the K-8 schools.

**OPENED FOR PUBLIC COMMENT:**

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

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

Cesar Arredondo, Dogwood Drive, questioned the statuts of the Stream House. Mayor Schwager advised that the bids are going out. Councilman Biale advised the bids will be opened August 13<sup>th</sup>.

Shawn Skunca, 22 Riverside Drive, commented that a number of people in the neighborhood got tickets for parking on the street. Councilman Knapp advised that the residents apparently received warnings and no one will get a summons. He is not sure why warnings were issued but he will look into the matter and address it. Ms. Skunca responded she did apply for a permit but it is unbelievable that this happened after so many years. Councilman Knapp reiterated that he will look into the matter.

Joseph Valenti, 18 Whittier Lane, asked when water restrictions are coming.

**CLOSED FOR PUBLIC COMMENT:**

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

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

**APPROVAL OF MINUTES: JULY 8, 2020**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of July 8, 2020 be approved.

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

**REQUEST TO WORK SATURDAYS:**

Mr. Kunze advised that P.S.E. & G. has submitted a request to work Saturdays in July and August on the replacement gas main project for Mohawk Ave, Nokomis Ave, and Morton Ave. Councilman Knapp made a motion that they be allowed to work from 9 am to 5 pm as has been done in the past. Councilman Levy seconded. Councilman Knapp advised that the Council has consistently approved these hours and he doesn't want them to wake residents if they start earlier. Mr. Kunze advised that P.S.E. &G. is requesting to work from 8 am to 3 pm on Saturdays. Councilman Levy rescinded his second on the motion since he is ok with them starting at 8 am.

**MOTION:**

On motion of Councilman Levy, seconded by Councilman Biale, the Council agreed to allow P.S.E. &G. to work Saturdays in July and August from 8 am to 3 pm on the replacement of gas mains at Mohawk Ave., Nokomis Ave, and Morton Place.

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

**APPOINTMENT TO GREEN TEAM:**

Mayor Schwager appointed Andrea Levy to a one-year term on the Sustainable Oakland Green Team. The term will expire on December 31, 2020.

**AMENDED RAFFLE LICENSE RL1387:**

On motion of Councilman Biale, seconded by Councilman Levy, the Council approved the amended Raffle License RL 1387 for Rebuilding Together North Jersey to hold an off-premise raffle for merchandise on the new date of November 2, 2020.

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

**RESOLUTION 20-186 AUTHORIZE REFUNDS FOR CANCELED SENIOR TRIP**

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

WHEREAS, the Borough of Oakland Senior Center has cancelled its casino trip and must refund all participants their registration fees; and

WHEREAS, the Mayor and Council adopted Resolution 20-180 on July 8, 2020 to authorize the refunds; and

WHEREAS, the refund amount approved for certain participants was incorrect and this resolution authorizes the additional amount owed to those participants; 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:

Joan & Sal Laurice, 41 Iroquois Ave, Oakland, NJ 07436, amount due \$ 12.00

Claire & Claudia Shine, 15 Hiawatha Blvd, Oakland, NJ 07436, amount due \$ 12.00

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

#### RESOLUTION 20-187 BUDGET SELF-EXAMINATION

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

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Oakland, County of Bergen has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Oakland, County of Bergen that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a) Payment of interest and debt redemption charges
  - b) Deferred charges and statutory expenditures
  - c) Cash deficit of preceding year
  - d) Reserve for uncollected taxes
  - e) Other reserves and non-disbursement items
  - f) Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
  - a) All estimates of revenue are reasonable, accurate and correctly stated,
  - b) Items of appropriation are properly set forth
  - c) In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

#### RESOLUTION 20-188 AUTHORIZE PROMOTION-BRYAN D'AMATO

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the endorsement of Department of Public Works Superintendent, Anthony Marcucilli, hereby approve the following promotional recommendation and salary increase effective July 1, 2020:

Bryan D'Amato, from Laborer, Grade 1 to Public Works Repairer, Grade 2, \$ 48,321 as per contract.

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

#### RESOLUTION 20-189 AUTHORIZE PROMOTION-JONATHAN PENA

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the endorsement of Department of Public Works Superintendent, Anthony Marcucilli, hereby approve the following promotional recommendation and salary increase effective July 1, 2020:

Jonathan Pena, from Laborer, Grade 1 to Public Works Repairer, Grade 2, \$ 48,321 as per contract.

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

# RESOLUTION 20-191 HIRE RECREATION AIDE

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

WHEREAS, there is a need to hire a part-time Recreation Aide to assist the Recreation Commission with clerical duties; and

WHEREAS, the Borough Administrator and Recreation Chairman have interviewed candidates and recommends the hiring of Rosa Kilpatrick for the position; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hires Rosa Kilpatrick as a part-time Recreation Aide at an hourly rate of \$ 18.00, not to exceed an average of 24 hours per week, effective July 27, 2020.

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

# RESOLUTION 20-192 AUTHORIZE RECREATION REFUNDS

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

WHEREAS, the Borough of Oakland has received a requests for refunds for Spring 2020 sports in the amount of \$ 9,563.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorizes refunds to:

La Forgia Family – 47 Walnut St.,Oakland – Tennis (1 Sessions) \$85.00  
 Patoray Family – 38 Roth Ave., Franklin Lakes, NJ 07417 – Tennis 2 kids (both sessions) \$340.00  
 Greene Family – 9 Tecumseh Trail, Oakland – Tennis 2 kids (1 session each) \$170.00  
 Kamm Family – 9 Greene Way, Oakland – Basketball Camp \$125.00  
 Pernice Family – 17 Kiowa Terrace, Oakland – Basketball Camp \$125  
 Gummere Family – 778 Ramapo Valley Rd., Oakland – Basketball Camp (2 kids) \$250.00  
 Bermudez Family – 28 Cayuga Ave., Oakland – Lacrosse \$125  
 Brunelle Family – 8 Vassar Place, Oakland – Lacrosse \$125  
 Burde Family – 7 Commanche Trail, Oakland – Lacrosse (2 kids) \$250.00  
 Parisca Family – 68 Truman Blvd., Oakland – Lacrosse \$125  
 Faynblut Family – 28 Boulder Run, Oakland – Lacrosse \$125  
 Franco Family – 26 Fordham Rd., Oakland – Lacrosse \$125

Kleinman Family – 50 Dogwood Dr., Oakland – Lacrosse \$125  
 Knowles Family – 10 Valley Forge Rd., Oakland – Lacrosse \$125  
 Kuhrt Family – 16 Arrowhead Rd., Oakland – Lacrosse \$125  
 LaBianco Family – 46 Algonquin Trail, Oakland – Lacrosse \$125  
 Metje Family – 5 Massasoit Trail, Oakland – Lacrosse \$125  
 Moussa Family – 5 Rock Ledge, Oakland – Lacrosse \$125  
 O'Dell Family – 10 Yale Way, Oakland – Lacrosse \$125  
 Rivera Family – 19 Cheyenne Ct., Oakland – Lacrosse \$125  
 Rogers Family – 199 Manito Ave., Oakland – Lacrosse \$125  
 Tanis Family – 98 Chicasaw Drive, Oakland – Lacrosse \$125  
 Oppenheim Family – 50 Ramapo Ave, Oakland – Rec Camp (Session 1) \$140  
 Lenc Family – 35 Silver Birch, Oakland – Rec Softball \$93  
 Quinteros Family – 26 Grandview Ave., Oakland – Rec Softball \$78  
 Pres Family – 29 Monhegan Ave., Oakland – Rec Softball \$78  
 Bailey Family – 81 Iroquios Ave., Oakland – Rec Softball \$108  
 Breuer Family – 23 Rutgers Drive, Oakland – Rec Softball \$78  
 Eulas Family – 134 Franklin Ave., Oakland – Rec Softball \$78  
 Reiner-Cuomo Family – 38 Spear St., Oakland – Rec Softball \$78  
 Groff Family – 62 Seminole Ave., Oakland – Rec Softball (2 kids) \$156  
 Graef Family – 63 Grove St., Oakland – Rec Softball \$78  
 Kennedy Family – 56 Spear St., Oakland – Rec Softball \$78  
 Lazar Family – 15 Maple Drive, Oakland – Rec Softball \$78  
 Mayer-Costa Family – 7 Pequot Path, Oakland – Rec Softball \$78  
 Myre Family – 15 Calumet Ave., Oakland – Rec Softball \$78  
 Potter Family – 38 Mohawk Ave. – Oakland – Fall Soccer \$62  
 Tamer Family – 9 Minnehaha Blvd., Oakland – Tennis (1 Session) \$85 & Rec Baseball \$78/ TTI \$163  
 DeBlock Family – 12 Lakeshore Drive, Oakland – Rec Baseball \$78  
 Fixler Family – 15 Sioux Ave., Oakland – Rec Baseball \$78  
 Frommer Family – 15 Spring Ave., Oakland – Rec baseball \$78  
 Lee Family – 51 Hiawatha Blvd., Oakland – Rec Baseball \$78  
 McMahon Family – 54 Jerome Ave., Oakland – Rec Baseball \$78  
 Stasiak Family – 28 Wenonah Ave., Oakland – Rec Baseball \$108  
 Siddhu Family – 90 Franklin Ave., Oakland – Rec baseball \$78  
 Cone Family – 25 Pawnee Ave., Oakland – Rec Baseball (2 kids) \$213  
 Cooper Family – 45 Overlook Ridge, Oakland – Rec Baseball \$93  
 Crimmel Family – 7 Yale Way, Oakland – Rec Baseball \$93  
 Ms. Lauren Freeman – 86 Spear St., Oakland – Rec Baseball \$93  
 Karpowich Family – 15 Monhegan Ave., Oakland – Rec Baseball \$93  
 O'Hara Family – 35 Monhegan Ave., Oakland – Rec Baseball \$93  
 Rocco Family – 85 Pawnee Ave., Oakland – Rec Baseball \$93  
 Westhoff Family – 7 Pine Crest Drive, Oakland – Rec Baseball \$93  
 Baker Family – 89 Chuckanut Drive, Oakland – Rec Baseball \$123  
 Draney Family – 87 Thackeray Rd., Oakland – Rec Baseball \$93  
 Finale Family – 6 Crooked Hill, Oakland – Rec Baseball (2 kids) \$213  
 Gray Family – 17 Oak St., Oakland – Rec Baseball \$93

Holmes Family – 122 Breakneck Rd., Oakland – Rec Baseball \$93  
 LaPierre Family – 86 Grove St., Oakland – Rec Baseball \$93  
 Magee Family – 7 Dartmouth Way, Oakland – Rec Baseball \$93  
 Mahajan Family – 8 Fieldstone Ct., Oakland – Rec Baseball \$93  
 Pearson Family – 93 Yawpo Ave., Oakland – Rec Baseball \$93  
 Raczkowski Family – 12 Barbara Lane, Oakland – Rec Baseball \$93  
 Schifano Family – 37 Dogwood Drive, Oakland – Rec Baseball \$93  
 Van Voorhis Family – 1 Woodcrest, Oakland – Rec Baseball \$93  
 Esak Family – 96 chuckanutt Dr., Oakland – Rec Baseball \$120  
 Festa Family – 9 Page Drive, Oakland – Rec Baseball \$120  
 Gummere Family – 778 Ramapo Valley Rd., Oakland – Rec Baseball \$120  
 Renshaw Family – 6 Morningstar Lane, Oakland – Rec Baseball \$120  
 Sendrowski Family – 5 Stony Point Rd., Oakland – Rec Baseball \$120  
 Valdez Family – 5 Dartmouth Way, Oakland – Rec Baseball \$150  
 Brunelle Family – 8 Vassar Place, Oakland – Tball \$68  
 Capuano Family – 27 Massasoit Trail, Oakland – Tball \$68  
 Cleaver Family – 51 Monhegan Ave., Oakland – Tball \$68  
 DiGiulio Family – 32 Crosby Lane, Oakland – Tball \$68  
 Elwood Family – 6 Mohawk Ave., Oakland – Tball \$68  
 Feeley Family – 26 Seton Hall Drive, Oakland – Tball \$68  
 Gaviria Family – 107 Manito Ave., Oakland – Tball \$68  
 Gebhard Family – 193 Franklin Ave., Oakland – Tball \$68  
 Galsson Family – 51 Princeton Terrace, Oakland – Tball \$68  
 Manzione Family – 57 Rutger's Drive, Oakland – Tball \$68  
 McGowan Family – 6 Hiawatha Blvd., Oakland – Tball \$68  
 Mcnamara Family – 7 Sienna Way, Oakland – Tball \$68  
 Merritt Family – 71 Page Drive, Oakland – Tball \$68  
 Nisivoccia Family – 54 Calmuet Ave., Oakland – Tball \$68  
 O'Neil Family – 47 West Sheffield St., Oakland – Tball \$68  
 Reid Family – 21 Boulder Run, Oakland – Tball \$68  
 Reisman Family – 45 Bannehr, Oakland – Tball \$68  
 Spinella Family – 17 Sienna Way, Oakland – Tball \$68  
 Tyler Family – 3 Arrowhead Rd., Oakland – Tball \$68  
 Graffanino Family – 43 Mcnomee St., Oakland – Rec Baseball \$93

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

#### RESOLUTION 20-194 AMEND TRAVEL BASEBALL FEES

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

WHEREAS, due to the COVID-19 pandemic, tournaments and the Spring season were cancelled for the Travel Baseball program thereby reducing the amount of fees needed for the 11u, 12u, 13u and 14u teams;



NOW, THEREFORE, BE IT RESOLVED, that the new fees for Travel Baseball for the 11u, 12u, 13u and 14u teams are as follows:

	Ordinance Fee	2020 Proposed New Fee
11u	\$ 267	\$ 225
12u	\$ 297	\$ 225
13u	\$ 367	\$ 225
14u	\$367	\$ 225

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

#### RESOLUTION 20-195 REFUND VETERAN'S DEDUCTION

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

WHEREAS, the Borough of Oakland has received a request for a refund for the 2019 Tax Year Veteran's Deduction; and

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

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

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>NAME</u>	<u>AMOUNT</u>
3903/42.57	101 East Oak St., Unit C-5	Michael Croce	\$ 250.00

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

#### RESOLUTION 20-196 AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

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

WHEREAS, the Oakland Tax Collector has previously issued a tax sale certificate **19-00018** to US Bank as Cust for Tower DB IX Trust 2019-1, which certificate dated December 20, 2019 covering premises commonly known and referred to as **Block 1805, Lot 4**, better known as 29 Hillside Ave, and

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy which is attached here to; and

NOW, THERERFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon, advice of the Tax Collector, do hereby authorize the issuance of duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with requirements of Chapter 99 of Public Laws of 1997,

BE IT FURTHER RESOLVED, that a copy of this resolution and the Affidavit of Lost Certificate be attached to the duplicate certificate to be issued to the said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

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

#### RESOLUTION 20-197 ESTABLISH FEE FOR COMMUNITY GARDEN

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

WHEREAS, the Sustainable Oakland Green Team has established a Community Garden in Oakland where residents will be able to rent garden plots; and

WHEREAS, the fee for rental of the garden plots must be established for 2020;

NOW, THEREFORE, BE IT RESOLVED that the 2020 fee to rent a garden plot in the Oakland Community Garden will be \$ 15.

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

#### RESOLUTION 20-198 AUTHORIZE APPRAISALS PHASE 4 FLOOD ACQUISITION

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

WHEREAS, the Borough of Oakland is interested in acquiring nine properties in the Lenape Lane and Lakeshore Drive area area as part of a flood buyout program; and

WHEREAS, appraisals are required as part of the funding process; and

WHEREAS, the Borough has obtained a quotation from Joshua D. Mackoff, LLC in the amount of \$850.00 per property for a total amount of \$7,650.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #T-13-56-286-000; and

WHEREAS, this contract is for professional service for which no public bidding is required; and

WHEREAS, Joshua D. Mackoff, LLC has complied with the Borough's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Joshua D. Mackoff, LLC in the amount of \$7,650.00; and

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

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 20-809**

The Clerk was directed to take from the table Ordinance No. 20-809 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY, AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$864,200 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE BOROUGH."

**OPENED FOR PUBLIC COMMENT:**

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

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

No comments made.

**CLOSED FOR PUBLIC COMMENT:**

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

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

On motion of Councilman Biale, 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, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey, Authorizing The Making Of Various Public Improvements And Acquisitions In, By And For The Borough, Appropriating Therefor The Sum Of \$864,200 And Providing That Such Sum So Appropriated Shall Be Raised From The Capital Improvement Fund Of The General Capital Fund Of The Borough.", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 20-BOND-810**

The Clerk was directed to take from the table Ordinance No. 20-Bond-810 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINER IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$ 5,561,250 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

**OPENED FOR PUBLIC COMMENT:**

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

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

No comments made.

**CLOSED FOR PUBLIC COMMENT:**

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

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

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Authorize The Making Of Various Public Improvements And The Acquisition Of New Additional Or Replacement Equipment And Machiner In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$ 5,561,250 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds.", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 20-BOND-811**

The Clerk was directed to take from the table Ordinance No. 20-Bond- 811 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " BOND ORDINANCE TO AMEND SECTIONS 4.B AND 10 OF THE BOND ORDINANCE (ORD. NO. 18-771) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,995,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED ON JULY 25, 2018"

**OPENED FOR PUBLIC COMMENT:**

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

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

No comments made.

**CLOSED FOR PUBLIC COMMENT:**

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

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

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Amend Sections 4.B And 10 Of The Bond Ordinance (Ord. No. 18-771) Entitled: "Bond Ordinance To Authorize The Making Of Various Public Improvements In, By And For The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$2,995,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds," Adopted On July 25, 2018", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

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

## WORK SESSION:

### SOLID WASTE BID:

Mr. Kunze advised that this issue is being picked up to get ready to go out to bid. The contract is set to expire. The Council needs to discuss which options to include in the bid. Mr. Kunze prepared a report laying out the various options to get direction on what to include in the bid document. There is a 60 day requirement for the bid. Mr. Kunze is anticipating the bid will be out mid-August and bids can be received mid-October.

The Borough currently has twice per week garbage collection year-round. In the previous contract, the collection schedule was twice per week for six months and once per week for six months. Mr. Kunze suggested that both those options could be put in the bid specifications. He stated that we can also look at a once per year collection with extra collections added around holidays. In discussions with our current hauler, the idea of a one-arm bandit was discussed. There is an arm on the truck which lifts the can and dumps it into the truck. The Borough would need to purchase specific cans. There is a potential savings on the collection but there would be a capital cost to purchase the cans. The estimate to purchase cans is \$210,000 so that would need to be factored in. Councilman Levy asked what the life expectancy is of these cans. Mr. Kunze responded he would have to research. Even if this option makes sense, the Borough would not enter into it in the first year of the agreement. Councilman Levy commented that the cans are big and brought up the issue of older residents not being able to handle the cans as well as those with steep driveways or on hilly roads. Councilman Talamini advised he has seen two types of cans work with this system-the 96 gallon can and one that was half the size. Councilman Biale commented that if it is a 96 gallon can, which is three times the size of a normal garbage can, the weight can be an issue for Seniors. Councilman Knapp thinks this system is meant for flat neighborhoods. He does not think it is a good idea.

Councilman Pignatelli asked if that option would limit the amount of people who can bid if all haulers do not have the equipment for a one-arm bandit system. Councilman Levy asked how many bidders we have gotten over the years. Mr. Kunze responded there have not been many bidders. He is trying to attract other bidders. There is a general escalation in pricing so that is why there is discussion now on cost containment. Mayor Schwager advised that the FLOW Mayors sent a letter to the State as well as the Northwest Bergen Mayors. There was no action by the State. Everyone is in the same boat. Mr. Kunze advised that this issue has gotten on the State's radar screen because it was a Best Practices checklist survey item. Mr. Kunze advised that our current hauler thought it was feasible to do the one-arm bandit in Oakland.

Councilman Levy commented that Mr. Kunze should also put together a cost to do garbage collection in-house. Pomton Lakes does their own collection. Mr. Kunze responded that if we do garbage collection in-house, the rest of the DPW is based upon that. There are space and logistics issues to deal with. In the past, we have done the numbers and it didn't make sense to do garbage collection in-house. Councilman Levy commented that if it has been looked at before, Mr. Kunze should have a ballpark figure of what it would cost. He stated that if we have our own garbage truck it can do heavy plowing. Councilman Knapp responded that we would need three or four trucks so there is a lot of capital layout. Councilman Talamini responded that there would be workers comp claims with people getting hurt. Councilman Biale stated there would be cost for maintenance of the garbage trucks. Councilman Levy still wants to look at the cost of in-house garbage collection.

Councilman Talamini talked about making the bids more pleasing to bidders like changing the garbage days if needed. Councilman Biale commented that we usually only get one bid. Mayor Schwager advised that in the past, whenever the Borough went out to bid for a new garbage

contract, the Borough used to rotate the garbage pick up days. Councilman Talamini responded that maybe we can attract haulers if they can do it on the days they need to. Councilman Levy agreed that if we make our schedule more flexible, it may make it attractive to more bidders. He asked what the cost savings would be if we went back to the twice per week/once per week schedule. Mr. Kunze stated that based on the last bid pricing, the difference was \$ 60,000 to \$ 70,000. Councilman Biale commented that even with half the pick ups, the amount of waste is still the same for the hauler.

Councilman Levy commented at the last time the Council voted on the contract, it was said there were lots of complaints about the twice per week/once per week schedule. However, a lot of people have told Councilman Levy they don't and it may give more flexibility. Councilman Levy also suggested looking into a recycling center. He asked how much the Borough spent last year on garbage collection. Mr. Kunze responded that we spent \$ 542,000. Mayor Schwager asked when they need to decide. Mr. Kunze responded he needs to know what options the Mayor and Council want in the bid documents. He is recommending getting pricing on the twice per week option, the twice per week/once per week option, and the one-arm bandit option. Mr. Kunze advised that bulk waste would not be included with the one-arm bandit option and would have to be a separate collection. He asked if the Governing Body would want to separate bulk waste collection from garbage collection. Councilman Levy commented that the public should let the Council know. Mayor Schwager commented that we should go back to single stream recycling. Mr. Kunze responded that we need to talk about the options to go into the bid specifications for pricing. He advised that we went back to dual stream recycling after several contracts with single stream. The single stream recycling has fallen in disfavor because of contamination of materials. He advised that other towns have switched back to dual stream. The cost to dispose of materials for single stream recycling is higher than the solid waste disposal. Mr. Kunze advised he looked into increasing the frequency of the dual stream recycling but it doubled the current cost.

Mr. Kunze advised that yard waste collection from the beginning of April to mid-December is lumped in with the recyclables. He would like to get pricing as a stand alone item. Mr. Kunze advised that if the Borough removed anything with refrigerant from metal collection, it would save money. Councilman Pignatelli questioned if anyone asked the hauler for recommendations to lower the price. Mr. Kunze responded that there was discussion with the hauler. Councilman Knapp asked if the company dumps the yard waste in our compost facility. Mr. Kunze responded that they do and the Borough processes it. Councilman Pignatelli asked if the Borough could collect the yard waste. Mr. Kunze responded that is why he wants to see the pricing. He advised that yard waste collection would be more feasible to do in-house than garbage collection. Councilman Knapp responded that we would still need a garbage truck to compress the material. Councilman Biale agreed that we would need a truck and commented that the barrels that need to be lifted are heavy.

Councilman Levy asked if a feasibility study can be put together for a recycling center. Mayor Schwager commented that a location is needed since the community garden is going in the spot that was being looked at for a recycling center. Councilman Levy responded that there are other locations. Mayor Schwager would like to hear from the public regarding a recycling center. Borough Engineer John Yakimik advised that the recycling center in Allendale was popular because people like to get rid of their stuff as quickly as possible. Mr. Chewcaskie responded that most people in Allendale utilize landscapers who get rid of the material. If a resident wants to get rid of grass and leaves, it must be dropped off at the recycling center because there is no pick up.

Councilman Talamini commented that if the Borough were to eliminate the items with refrigerant from metal pick up, residents would have to make their own arrangements. Councilman Biale responded it would save \$ 18,000 per year. Councilman Talamini stated that if he were throwing out a refrigerator, he would not want to have to find out where to get rid of it. He doesn't think that the residents should have to deal with that.

Councilman Van Eck thinks once per week garbage is acceptable. He suggested maybe those savings could be put into a recycling center. He asked if this can be done as a shared service. Mr. Kunze responded that we have done a joint bid with Franklin Lakes and Wyckoff for disposal. Mayor Schwager stated that in 2012, the cost savings to go from twice per week collection to once per week collection was \$ 12 per family. Mr. Kunze advised he needs to know what options to put in the bid specifications. The decisions don't have to be made now what options we are going to award. He recommends seeking pricing on the once per week, twice per week, the hybrid twice per week/once per week, and the one-arm bandit. We will stay with dual stream recycling and separate the cost for yard waste collection. He asked if everyone was comfortable putting those options in the bid specifications. The Council consented.

#### OLD BUSINESS:

Councilman Pignatelli stated that we never moved forward with selling surplus property. There is a lot on Manito Ave. and where the former DPW storage building is located. This could generate a couple hundred thousand dollars. Mr. Kunze responded that some old water infrastructure needs to be removed before we can market the Manito lot. The lot on Valley View where the DPW storage building is no longer in use can be a potential lot to sell. Mr. Kunze advised that the Manito lot had been put on the market during the recession and there were not a lot of takers but this can be revisited. Councilman Levy asked if they are buildable lots. Mr. Kunze responded that the one on Manito is but he would have to look at other ones. Mayor Schwager commented that there was a list of properties that the Borough could sell. Councilman Talamini advised that the market is more favorable now and we should start removing the water infrastructure from the Manito property.

Councilman Levy brought up that he will start looking into the feasibility of having an in-house engineer. The Borough is currently spending about \$ 500,000 per year with Boswell Engineering. Councilman Levy has been talking to other towns that have an in-house engineer and they spend significantly less. It doesn't mean the Borough wouldn't use Boswell in the future.

Councilman Talamini asked about meeting in person. Mr. Kunze responded that the last time the Council spoke, they agreed to wait for September. Councilman Knapp explained that the original suggestion was to meet in person in August and it was pushed to September. He stated that the Bloomingdale Council is meeting in person and they have plexiglass between them on the dais and are wearing masks. He spoke to one of their Council members who said it was difficult to hear with the plexiglass and the masks on. Councilman Knapp stated that although he is not a fan of the Zoom meetings, they have gotten better. He is ok to continue meetings this way until September. Mayor Schwager and Councilman Biale concur. Councilman Talamini thinks the sooner the meeting are back in person the better. Mayor Schwager would rather take it slow. She suggested seeing what happens when schools open.

#### COUNCIL REPORTS:

Councilman Van Eck: There is no report for Planning Board. There is an opening on the OCC. He thanked everyone who participated in and watched This Week in Oakland which was a twelve week series. The Borough is on Instagram now. The next OCC meeting will take place



September 14<sup>th</sup> at 7:30 pm. Councilman Van Eck advised that Recreation open camp will be closed. He explained that because of the strict quarantine guidelines set forth by the County, the open camp is short-staffed so it must be canceled. Councilman Van Eck did tour the camp and was very impressed on how it is being run as well as how the sports programs are being run.

Councilman Talamini: The schools put out their preliminary plan for opening. The plan must be approved by the State. The schools will be split into A and B teams. Team A will go to school Mondays and Wednesdays. Team B will go to school Tuesdays and Fridays. The teams will alternate Fridays and the school day will be a minimum day. The Board of Education is still trying to figure out holidays. Everything is contingent on the Governor and on the virus. The Board of Education has done a lot of work and talked to other districts. They feel this plan will work the best. They wanted to get the plan out to the parents now so it can be tweaked. Mayor Schwager asked if this is the plan for the FLOW area. Councilman Talamini responded that they have all talked but Franklin Lakes and Wyckoff were not ready to get their plan out yet.

Councilman Biale: Senior Center Director Arielle Preciado has added classes for a mix of hybrid options for the Seniors. The Seniors must register in advance in order to attend an in person program. There is a new program called Navigating Medicare which is being run by the Bergen County Division of Senior Services. It is being held the second Monday of every month by appointment only. The Senior Center Director is in the office daily to provide assistance to Seniors. The DPW will begin their line striping program on August 1<sup>st</sup> to repaint crosswalks. They will also stripe parking areas of Borough buildings. Once again, the Borough is taking advantage of Rockland Electric's annual LED lighting program. The water system is experiencing excessive consumption due to high temperatures and lack of rain. The DPW is asking residents to voluntarily limit watering to odd/even days. During the heatwave, Rockland Electric is recommending setting air conditioners to the highest comfortable temperature, limit cooking and baking to cooler parts of the day and close curtains and shades.

Councilman Pignatelli: The Administration Committee met to discuss the bylaws. They need one more meeting to discuss and then will bring the bylaws to the entire Mayor and Council to review. The Board of Health suspends meetings during summer months. The Green Team will meet on July 28<sup>th</sup>. The Green Team is reminding residents to fill out the census information. It is important that we are counted to help New Jersey get federal funding.

Councilman Levy: The Flood Commission has not met. Councilman Levy spoke to Tom Little who participated in the Borough's event to help residents reduce their flood insurance costs. He is still getting people to contact him for advice on how to save on their flood insurance. He has helped residents save over \$ 20,000. The Shade Tree Commission will meet Monday at 7:30 pm and are looking for a new member. Regarding Capital Projects, the Borough took another step forward in Phase 1 of the sewer project which is decommissioning the three package treatment plants. The Borough is waiting for DEP approval. The treatment plants will hopefully be decommissioned next year. Councilman Levy advised he has heard from residents on Glen Gray Road. Boswell Engineering has taken measurements and put stakes to help come up with a traffic plan when the Patriots Way Bridge is closed. They are working on getting a schedule for the Patriots Way Bridge. He explained there are different phases of the project.

Councilman Knapp: The First Aid Squad had 45 calls in June and have 269 calls year-to-date. The total amount of standby hours for the First Aid Squad year-to-date is 5,527. The Fire Department responded to 25 calls in June and 137 calls year-to-date for a total of 993 hour. Councilman Knapp read a message from Police Chief Sanzari congratulating the newest Police officers Matthew Lopez and Jacquelyn Jensen who were hired on July 16<sup>th</sup>. He wished them luck

at the Police Academy and advised the ceremonial Oath of Office is delayed until in person meetings are taking place. Councilman Knapp reminded residents to lock their vehicles.

**OPENED FOR PUBLIC COMMENT:**

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

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

Elizabeth Benducci, Valley View, questioned if the Borough is going to get rid of the DPW building on Valley View. Mr. Kunze responded that the idea is to get rid of the building. Ms. Benducci advised that the DPW employees are still there every day.

Cesar Arredondo, 120 Dogwood Drive, asked if we have had conversations with other towns about a shared service for garbage. Mayor Schwager advised that the Mayors meet regularly. Mr. Kunze advised that he has met with FLOW towns and Northwest Bergen towns. He explained that we have spent a number of years looking at alternate solutions. Councilman Pignatelli commented that each town's contract expires at different times. Mr. Kunze responded it would require everyone to synch contracts.

Melissa Bayani, 44 Spear Street, is assuming there will be limited busing for school. She asked if crossing guards can be added if kids will be walking. Councilman Talamini will talk to the Superintendent of Schools.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

## MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the meeting be adjourned at 9:15 pm.

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

*Lisa M. Duncan*

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Lisa M. Duncan, Borough Clerk  
August 12, 2020

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Date Approved

*Linda H. Schwager*

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Mayor Linda H. Schwager