

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA ZOOM VIDEO CONFERENCE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY SEPTEMBER 9, 2020

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Talamini, 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:
Personnel-Council Vacancy
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, Pignatelli, Talamini, Van Eck.

Discussion ensued over the Council vacancy. No action taken.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Pignatelli, Talamini, Van Eck. Absent: None. Also Present: Michael Carelli, Deputy Borough Clerk; Richard Kunze, Borough Administrator; Nylema Nabbie, 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.

MAYOR'S REPORT:

Mayor Schwager thanked Councilman Talamini for covering for her at the last meeting when she wasn't feeling well. The Stream House is coming down. Permits are being finalized and asbestos removal will be done before the end of the month. The final exterior dismantling will take place shortly thereafter. The Sewer meeting has been scheduled for September 30th at 6:30 pm via Zoom. Letters will be mailed to those residents tomorrow with instructions on how to participate in the meeting. The metal collection will take place tomorrow September 10th. Mayor Schwager thanked Councilman Pignatelli and Councilman Knapp for suggesting we need a 9/11 ceremony. This will take place Friday at Vet's Park. Everyone will gather before the time the first tower was hit at 8:46 am. Roadwork will be starting and residents on the affected streets will be getting notices. Mayor Schwager congratulated the Fire Department. The Borough received notice that we are receiving a grant of \$ 210,476.19 from the Federal Assistance to Firefighters grant program to replace SCBA packs which have reached the end of their lifespan. Mayor Schwager thanked the volunteers of the Fire Department. There will be a sale of mums to raise money for the Oakland Braves Cooperstown team. The mum sale will take place 9/12, 9/19, 9/26 and 10/2 from 9 to 2 pm in the parking lot by the Post Office.

OPENED FOR PUBLIC COMMENT:

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

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

Kevin Bagar, 101 West Oakland Ave, is the manager of Real Brave music studio in Copper Tree mall. He read a statement about severe challenges at the Copper Tree Mall with the internet provider. Since August 1st, there have been intermittent drops in service from Altice. This has resulted in cancelled lessons and contract terminations which result in lost revenues. He reached out to the Borough Administrator who spoke to the Government Affairs representative. That

person said she would refer the issue to their engineers. Mr. Bagar asked if there were any steps that could be taken by the Council.

Rachel Gregory, 2 Kiowa Terrace, is glad there will be a Sewer meeting on September 30th. She suggested that the residents be told who the participants will be at the meeting.

CLOSED FOR PUBLIC COMMENT:

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

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

Mayor Schwager advised she spoke to Optimum and was told the Borough Administrator should contact Optimum. Optimum is passing the buck. She stated that it is not only affecting the businesses at Copper Tree Mall but it is affecting businesses on Yawpo Ave. and Raritan Road. Mr. Kunze advised he spoke to the Government Affairs representative who was very non-committal. He stated that the section of town probably needs an upgrade. Councilman Knapp stated there was an issue at the Fire Department on Yawpo Ave. He will reach out to some connections tomorrow. Councilman Pignatelli thinks we should notify the BPU.

APPROVAL OF MINUTES: SPECIAL EXECUTIVE SESSION AUGUST 20, 2020

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Special Executive Session of August 20, 2020 be approved.

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

RESOLUTION 20-221 AUTHORIZE LAST CHANCE AGREEMENT

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

WHEREAS, certain matters have arisen pertaining to the prior employment of A.V. with the Borough of Oakland ("Borough"); and

WHEREAS, A.V. has agreed to a Settlement and Last Chance Agreement and executed same on August 25, 2020; and

WHEREAS, the Borough Council has reviewed the Settlement and Last Chance Agreement and seeks to accept and agree to the terms of same; and

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

1). The Borough hereby accepts and agrees to the terms and conditions of the Settlement and Last Chance Agreement dated August 25, 2020; and

2). The Borough hereby authorizes the Mayor to execute the Settlement and Last Chance Agreement dated August 25, 2020; and

3). That this resolution shall take effect immediately.

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

RESOLUTION 20-222 LIQUOR LICENSE RENEWALS

On motion of Councilman Knapp, seconded by Councilman Van Eck, 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, 2020 to June 30, 2021, 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, 2020 to June 30, 2021:

NAME	LOCATION	STATE NUMBER
Long Hill Liquors Inc.	14 Post Road	0242-44-004-006
Bistro 202, LLC	588 Ramapo Valley Road	0242-33-005-012
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
Wolfpack, Ltd.(Timbers)	110 W. Oakland Ave.	0242-33-008-009
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
Buona Fortuna, Inc.(new Portobello)	175 Ramapo Valley Road	0242-33-002-004
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: All yeas, Councilmembers Biale, Knapp, Pignatelli, Talamini,

Van Eck.

Councilmembers Biale and Pignatelli realized they must abstain since they are members of the American Legion. Mayor Schwager asked for another roll call.

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

RESOLUTION 20-224 AUTHORIZE ADMINISTRATIVE AGENT-AFFORDABLE HOUSING

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

WHEREAS, the Borough of Oakland wishes to retain a firm to administer its Affordable Housing Program; and

WHEREAS, Community Grants, Planning & Housing, 1249 South River Road, Suite 301, Cranbury, NJ 08512, has submitted a proposal dated June 11, 2020 to act as Affordable Housing Administrative Agent for the Borough of Oakland at a cost not to exceed \$ 7,500; and

WHEREAS, Community Grants, Planning & Housing has submitted all paperwork to comply with the Borough of Oakland's Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified funds are available in Account # ;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Community Grants, Planning & Housing to act as Affordable Housing Administrative Agent at a cost not to exceed \$ 7,500 as per their June 11, 2020 proposal; and

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

Councilman Van Eck stated that this irks him. He feels it is tyranny and radical overreach but he understands the Borough has no choice to do this or we could be sued. He feels there should be discussion in the future so the public understands the bind this community is in.

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

RESOLUTION 20-226 RATIFICATION OF WHITE COLLAR AGREEMENT

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

WHEREAS, the United Public Service Employees Union - White Collar Unit, (hereinafter "the Union") are the local union representative for all White Collar employees of the Borough of Oakland excluding confidential, managerial, supervisory, seasonal or police employees within the meaning of the Public Employment Relations Act; and

WHEREAS, the Union and the Borough of Oakland have been negotiating the terms to a new collective bargaining agreement; and

WHEREAS, the parties' have negotiated and agreed upon the terms to a new collective bargaining agreement; and

WHEREAS, the Borough of is desirous of executing the new collective bargaining agreement for the term of January 1, 2020 through December 31, 2024.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Clerk are authorized to execute the Collective Bargaining Agreement between the Borough of Oakland and the United Public Service Employees' Union for the period of January 1, 2020 through December 31, 2024.

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

RESOLUTION 20-227 CHAPTER 159 ASSISTANCE TO FIREFIGHTERS GRANT

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

WHEREAS, N.J.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 a FEMA Assistance to Firefighters Grant (AFG) in the amount of \$210,476.19 for FY19 for new SCBA Air Packs for the Oakland Fire Department and wishes to amend its 2020 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:
 Assistance to Firefighters Grant.

BE IT FURTHER RESOLVED that a like sum of \$210,476.19 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:
 Assistance to Firefighters Grant
 Other Expenses - \$ 210,476.19

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, Knapp, Pignatelli, Talamini, Van Eck.

RESOLUTION 20-228 AUTHORIZE RECREATION REFUNDS

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

WHEREAS, the Borough of Oakland has received a requests for refunds for spring 2020 sports in the amount of \$ 905.00 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

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

Schifano Family – 37 Dogwood Drive, Oakland, NJ 07436 – Baseball \$78.00
 Amato Family – 46 Hopper Street, Oakland, NJ 07436 – Summer Camp Session (2 kids) \$420.00
 Oritheneer Family – 552 Ramapo Valley Road, Oakland, NJ 07436 – Summer Camp Session 2 (Vivian) \$182.00
 LaPierre Family – 86 Grove Street, Oakland, NJ 07436 – Rec Soccer \$80.00
 Binder Family 0 17 Pawnee Avenue, Oakland, NJ 07436 – Rec Soccer \$65.00
 Kimmel-Trainor Family – 26 River Road, Oakland, NJ 07436 – Rec Soccer \$80.00

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

RESOLUTION 20-229 PERMIT FEE REFUNDED

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

WHEREAS, the Borough of Oakland has received a request for a refund of a Building Permit Fee in the amount of \$ 400.00; and

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

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

Raymond Miller, 183 Lakeside Boulevard, Oakland, NJ 07436 amount due \$ 400.00

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

RESOLUTION 20-230 AUTHORIZE DIRECT INSTALL PROGRAM

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

WHEREAS, the Borough of Oakland is committed to implementing measures that conserve energy and reduce energy costs; and

WHEREAS, the State of New Jersey is offering eligible municipalities incentives for energy efficiency upgrades through the New Jersey Clean Energy Direct Install Program; and

WHEREAS, the Borough of Oakland is eligible to participate in these programs; and

WHEREAS, the State's designated vendor, Lime Energy, has conducted a site assessment and created a scope of work that would upgrade the following:

- Firehouse 1 – 25 Yawpo Avenue, Oakland, NJ 07436 – Lighting and HVAC Upgrade
- Firehouse 2 – 140 Hiawatha Boulevard, Oakland, NJ 07436 – Lighting, HVAC, and Boiler Upgrade
- Firehouse 3 – 16 Van Vooren Road, Oakland, NJ 07436 – Lighting and HVAC Upgrade
- Police Department/Municipal Court/Council Chambers/OCC Control Room – 295 Ramapo Valley Road, Oakland, NJ 07436 – Lighting, HVAC, and Boiler Upgrade
- Recreation Shed – 24 Lawlor Drive, Oakland, NJ 07436 – Lighting Upgrade

For a total cost of **\$119,386.06**.

WHEREAS, under the terms of the program, Lime Energy would receive **\$74,542.20** in payment by the State of New Jersey, and the Borough would be responsible for **\$44,843.86**; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby approve participation in the New Jersey Clean Energy Direct Install Program and that the Borough Administrator is hereby authorized to issue a purchase order to Lime Energy on behalf of the Borough of Oakland.

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

RESOLUTION 20-231 AUTHORIZE CONTRACT AMENDMENT-FLOODPLAIN 4

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

WHEREAS, the Borough of Oakland is in need of additional Floodplain Manager services for the remainder of 2020 to continue providing assistance to Borough residents; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #9-01-20-165-100 in the amount of \$4,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby agrees to amend Agnoli Engineering's contract in an amount not to exceed \$ 4,000.00 effective immediately, for a new contract total of \$12,000.00.

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

RESOLUTION 20-232 AUTHORIZE PURCHASE 2021 CHEVROLET TAHOE

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

WHEREAS, the Borough of Oakland is in need of purchasing one (1) 2021 Chevrolet Tahoe Police vehicle; and

WHEREAS, Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002 has Educational Services Commission of New Jersey Pricing Contract #ESCNJ-17/18-44 for the vehicles as per the specifications desired; and

WHEREAS, the cost for each vehicle is \$39,841.42 with the desired options; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-809-301;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Purchasing Agent is hereby authorized to issue a Purchase Order to Mall Chevrolet, Cherry Hill, NJ for the purchase of one (1) 2021 Chevrolet Tahoe vehicle at a total cost of \$39,841.42.

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

RESOLUTION 20-223 AUTHORIZE LIQUOR LICENSE RENEWAL-KNIGHTS OF COLUMBUS

On motion of Councilman Knapp, seconded by Councilman Talamini, 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, 2020 to June 30, 2021, 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, 2020 to June 30, 2021:

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 Knapp, Talamini.
Abstain, Councilmembers Biale, Pignatelli, Van Eck.

There was question if the resolution passes with only two votes. Discussion ensued. Councilman Talamini suggested doing Resolution 20-225 to fill the vacancy and then the vote can be done again.

RESOLUTION 20-225 APPOINTMENT TO FILL VACANCY

Councilman Talamini brought forth the name of Eric Kulmala to fill the vacancy left by the resignation of Lew Levy. He explained the other two names given were Joseph Kuhns and John McCann. He explained that when there is a vacancy, the County Committee of that party selects three people to bring forth to the Council. The Council then votes on who will fill the vacancy.

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

WHEREAS, Lewis Levy resigned as a Council member on August 20, 2020; and

WHEREAS, on September 9, 2020 the Republican County Committee submitted the names of three nominees for a successor to fill Mr. Levy's vacancy; and

WHEREAS, the Mayor and Council of the Borough of Oakland has considered the nominees and desire to make an appointment in accordance with N.J.S.A.40A:16-11;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Eric Kulmala is hereby appointed Council person for the Borough of Oakland as successor to Lewis Levy; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Eric Kulmala shall serve on the Borough Council until a successor has been elected and certified; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to the Committee members and shall be kept on file in the Office of the Borough Clerk.

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

Borough Attorney Nylema Nabbie administered the Oath of Office to Eric Kulmala.

RESOLUTION 20-223 LIQUOR LICENSE RENEWAL-KNIGHTS OF COLUMBUS

On motion of Councilman Talamini, seconded by Councilman Knapp, 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, 2020 to June 30, 2021, 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, 2020 to June 30, 2021:

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 Knapp, Kulmala, Talamini, Mayor Schwager.
Abstain, Councilmembers Biale, Pignatelli, Van Eck.

RESOLUTION 20-233 AUTHORIZING APPOINTMENT OF REPRESENTATIVES TO B.C. COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

Mr. Kunze advised that the Council needs to pick an alternate member. It was previously Lew Levy. Councilman Kulmala was nominated as the alternate.

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

WHEREAS, the Borough of Oakland has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Mayor and Council of the Borough of Oakland to appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2020-2021 term starting July 1, 2020 and ending on June 30, 2021.

WHEREAS, Mayor Linda H. Schwager has designated Borough Administrator Richard S. Kunze to serve as the Mayor's representative and Michael E. Carelli as its alternate to serve on the Community Development Regional Committee for a one year term, July 1, 2020 through June 30, 2021;

BE IT RESOLVED, that the Borough Council hereby appoint Councilman John Biale to serve as the Council's representative and Councilman Eric Kulmala as its alternate for a one-year term, July 1, 2020 through June 30, 2021;

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack,

New Jersey 07601 | resposito@co.bergen.nj.us as soon as practicable and no later than Friday, October 9, 2020.

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

INTRODUCTION: ORDINANCE NO. 20-CODE-812

The Clerk was directed to take from table Ordinance No. 20-Code-812 and read by title for its first reading.

The Clerk then read by title Ordinance No. 20-Code-812 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND TO STANDARDIZE AND REGULATE ALARM SYSTEMS WITHIN THE BOROUGH."

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 Amending And Supplementing The Revised General Ordinances Of The Borough Of Oakland To Standardize And Regulate Alarm Systems Within The Borough.", be introduced;

That said Ordinance be considered for final adoption at a meeting on September 23, 2020 via Zoom video conference at 7:30 P.M.

That said Ordinance be published in full in The Record on or before September 14, 2020 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: Yeas, Councilmembers Biale, Knapp, Levy, Pignatelli, Talamini, Van Eck. Abstain, Councilman Kulmala.

WORK SESSION:

2021 BOROUGH CALENDAR:

Michael Carelli, Assistant to the Administrator, advised that last year the Borough put out its inaugural calendar. He is looking to put out the calendar again with a few modifications. The ad price will stay the same since it was set by fee ordinance. The modification will be a change in the size of the calendar. It will mirror the size of Franklin Lakes' calendar which was included in the packet. The layout will remain the same. Mr. Carelli is looking for feedback regarding sponsorship. Mr. Carelli advised that the change in size of the calendar is saving \$ 5,000. Councilman Knapp asked if Mr. Carelli will be contacting last year's sponsors to see if they want to renew. Mr. Carelli would do that if that is the consensus of the Mayor and Council. The consensus was to move forward.

SAFE ROUTES TO SCHOOLS PROJECT ENGINEERING:

Mr. Kunze advised that the Borough has a federal grant to install sidewalks to promote pedestrian safety around Valley Middle School. The design engineer has been selected. The DOT prequalified firms based on the Federal government procurement process. In order to move

forward, the Borough has to advise the DOT that we are accepting the proposal. The DOT will come up with an agreement and the Borough can award the contract. This will get us through the design process. Councilman Talamini asked if the Council will look at the design when done. Mr. Kunze stated the Council was conceptually in agreement with where the sidewalks would go.

NEW BUSINESS:

Councilman Kulmala asked if the Council could go back to a live meeting next meeting and would like to put it for a motion. Borough Attorney Nabbie suggested this discussion be tabled because certain protocols need to be put in place before in person meetings can take place. She has concerns with going live without protocols. Councilman Van Eck had brought this issue up a month and a half ago. It is important to go back in person. He understands there is a danger but the Council needs to go back in person while we do it safely. There has to be a plan in place so this can be done safely and appropriately so no one is at risk. Councilman Pignatelli suggested that a plan be discussed at the next meeting and then the live meeting can be held the first meeting of October.

Mayor Schwager stated that everyone said we would wait for school to start and see what happens with schools. School just started yesterday. She stated she felt comfortable when the Executive Session was held at the Senior Center but we have to see if Zoom can be done. Councilman Van Eck stated the Senior Center was a great location. He feels live meetings are the best way to conduct business. Councilman Kulmala wants to put the Borough Administrator's plan to a vote at the next meeting and move forward. Mr. Kunze stated he has been working on this. There is plenty of room for the Council to social distance in either location. The question is how to get the public to participate and to make sure the technology is sound if we are doing zoom. He will further evaluate the two facilities. Councilman Kulmala suggested we utilize the hybrid model the school is using.

OLD BUSINESS:

Councilman Van Eck stated he has been in contact with Altice's Government Affairs representative as well as Mr. Kunze and there has been a lack of response as to why they won't let the Borough broadcast at the industry standard. He suggested maybe Councilman Knapp can bring that up to his contact.

Mayor Schwager stated that the Borough is not getting anywhere with Suburban News regarding the littering issue. Councilman Van Eck suggested maybe the Environmental Commission or Green Team can get involved because it is a big pollution issue for the Borough. Mr. Kunze stated that from an enforcement standpoint, the violation would be issued to the homeowner not the newspaper.

COUNCIL REPORTS:

Councilman Van Eck: The Planning Board will meet tomorrow night via Zoom at 7 pm. They have not met since March 12th. Councilman Van Eck thanked all the Recreation coaches and volunteers. It is so important for the kids to be outside getting exercise and fresh air. Roller Hockey and wrestling signups will begin shortly. The basketball program is still up in the air because it is unknown if we will be able to use school gyms. The OCC had a celebration this weekend for the twelve week series This Week In Oakland program participants. He thanked everyone who was involved because the series was a bright spot during coronavirus. The OCC is looking for volunteers especially for the newsletter committee. The next meeting will be September 14th at 7:30 pm via Zoom.

Councilman Knapp: The Police Chief reminded residents the public schools are open so be mindful there are children on the streets as well as crossing guards. Councilman Knapp explained that the Borough is not usually successful in its applications to the Assistance to Firefighters grant so this is a bonus that we received a grant this year. He explained that the Fire Department is replacing 30 air packs that the firefighters wear on their backs to assist with breathing in hazardous situations. The packs that are being replaced are between 20 and 30 years old. The new packs have GPS trackers so that when a fire fighter enters a smoke filled building, the command vehicle will be able to track them at all times. Councilman Knapp advised that there have been a couple of conference calls with the DOT and Governor's office regarding I287. He explained that the Borough is slowly making progress. It is not quick enough for anyone on the Council but we are dealing with the State DOT. Since the last meeting, Councilman Knapp has reached out to Congressman Gottheimer's office. He emailed them accident data and pictures. They will reach out to the Governor's office. Councilman Knapp stated to all the people on Facebook who beat up the town Council that it is discouraging. The people on the Council are doing this to help make the town the best that it could be. Some of the Council members have lived in Oakland their whole lives. They don't join the Council to not do anything. Councilman Knapp is tired of reading everyone's opinion of how bad and lazy the Council members are. The negativity needs to stop. He encouraged residents who have a question to email the Council liaisons instead of disparaging on Facebook. Councilman Knapp stated that after the last accident on 287, someone said the town is not doing anything about it. He stated that things are being done even if it is behind the scenes. He explained there were 18 people on that call with numerous DOT directors and the Borough got no resolution. The one good thing that came about with the call with the DOT was that the DOT agreed to clean the storm drain every couple of days. Councilman Knapp does not want residents thinking that the Council is not doing anything.

Councilman Talamini: He will give a more in-depth report on the schools at the next meeting. The Library is up and running. People can go in person or can get materials through curbside pick up. The Finance Committee met to see where we are with the budget. It seems we have budgeted correctly. He advised that many adjustments were made to the budget due to COVID.

Councilman Biale: The Senior Center is running hybrid programs. The September calendar is online. If Seniors want to attend programs in person, they must register in advance. People can borrow puzzles and books from the Senior Center. There will be private appointments available for anyone who needs assistance navigating Medicare. The appointments are on a first-come, first-served basis. The annual flu shot clinic will be held on October 8th from 2 to 4 pm for Seniors 65 and older with Medicare Part B and no HMO. It is by appointment and you must pre-register. Bingo will be held on September 24th at 12:30 and is being relocated to indoors. Space is limited. The Senior Center office is open Monday through Friday for assistance to Seniors. The shopping trips have resumed to ShopRite weekly and to alternate locations by appointment. DPW continues repairs on potholes. They ask residents to report the potholes to DPW. Since January, the DPW has repaired more than 1200 potholes. The DPW asks residents to report non-functioning street lights. The fire hydrant flushing program continues through September and October. Fire hydrants will be inspected and repaired. It will not affect drinking quality and not cause a loss of service. Councilman Biale agreed with Councilman Knapp's remarks and stated that the Council members spend a lot of time and energy to make Oakland a better place for everyone in this town.

Councilman Pignatelli: Hazardous Waste collection will take place on Saturday September 12th at Campgaw in Mahwah. There are a lot of people who want to dispose of products so arrive early. Do not bring electronics, paper shredding or tires. The Board of Health will meet on September 15th. The Environmental Commission will hold a special meeting on September 15th.

The Public Events Committee will meet on September 14th. The bylaws have finally been revised. The Borough Attorney is reviewing them and then the bylaws will be brought to the Council. Mayor Schwager stated the bylaws have not been reviewed since 2006 and they should be reviewed every year.

Councilman Pignatelli spoke about 9/11 and having played the bagpipes with the Port Authority bagpipers for the first anniversary of 9/11. He would like to go to Vet's Park on Friday 9/11 by the Borough's 9/11 memorial and play the bagpipes like he has done for numerous memorials. He invited the public to attend. Mayor Schwager asked if the schools were contacted. Councilman Pignatelli advised that next year is the 20th anniversary. He suggested putting together a committee to plan an event and the school kids could be invited next year. Councilman Knapp stated these memorials should be carried on moving forward. Councilman Biale commented that we should start planning for next year well in advance.

Councilman Biale commented that there is a the meeting on September 30th for the sewer rate payers. There is a lot of misinformation going around. He stated that all business of the Borough is conducted by Borough Hall. Letters will go out to the residents inviting them to attend the meeting.

Councilman Pignatelli commented that the County Executive is having a 9/11 ceremony at 4:00 pm at Overpeck Park. Councilman Van Eck spoke about an incident earlier in the year when there was a march through Oakland and an individual stood on top of the Borough's 9/11 memorial. It was disrespectful and unacceptable. Mayor Schwager stated that young people don't understand what happened. She spoke about when the Borough received the piece of steel and how they had to wear white gloves and be very careful handling it out of respect for people's remains that could be on the steel.

Councilman Kulmala advised that he was asked to testify at the BPU on behalf of Verizon earlier this year. He read a letter into the record about the problems Oakland is having with Altice. He stated that is part of the record if that could be of value.

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, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

Kevin Bagar, 101 West Oakland Ave, thanked the Council for their time tonight and the feedback. He will follow up next meeting. He was told there was no service for Verizon at Copper Tree Mall.

Frank DiPentima, 6 Mt. Lakes Road, is a County Committee member. He stated the members were not presented with three names to vote on. They were only presented with two names of Eric Kulmala and Joseph Kuhns. Process was not followed.

CLOSED FOR PUBLIC COMMENT:

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

ROLL+- CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, 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: Yeas, Councilmembers Biale, Knapp, Pignatelli, Talamini, Van Eck.
Abstain, Councilman Kulmala.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the meeting be adjourned at 9:06 pm.

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

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk

September 23, 2020

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager