

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA VIDEO CONFERENCING
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MAY 13, 2020

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, 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 advertised and held with the guidelines set up for this COVID-19 crisis.

MAYOR'S REPORT:

Mayor Schwager thanked the public for joining the meeting tonight. Mayor Schwager advised that if residents are not receiving her nightly message, they should register on the Borough's website. There is a question as to why the Borough requires registration in order to watch the meeting and it is for greater security to prevent "zoom bombing". The Memorial Day Parade has been cancelled and the town carnival is cancelled. Mayor Schwager asked if the American Legion is doing anything for Memorial Day. Councilman Biale advised that the American Legion will do a ceremony at Ponds Cemetery. Mayor Schwager advised that as of now, all recreation activities must remain passive. The tennis courts and playgrounds are closed. Drive-by events are now permitted although in-person events are still prohibited. Mayor Schwager received an anonymous complaint about food establishments not following CDC guidelines. Mayor Schwager advised that she will not respond to anonymous complaints. Mayor Schwager advised residents to complete the census because we were undercounted in 2010. This helps with federal funding in the future. The Motor Vehicle Commission is closed until at least May 26th. They have a lot of online services. Mayor Schwager will have story time on Wednesday May 20th at 11 am and pre-registration is required. Resident Michael Teel who died of pancreatic cancer will be honored during Police Week at the memorial in Washington D.C.

OPENED FOR PUBLIC DISCUSSION:

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

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

Vivian King, 113 Hiawatha Blvd, asked what the issue is with putting a banner in the center of town for the high school graduates. She explained that these are unprecedented times and the students should be honored. We have students in Oakland that go to Ramapo as well so the town should work with the Ramapo Indian Hills Board of Education.

Louise Bagi, 5 Hobart, had requested a sign with the class picture be put by the railroad tracks. It seems there is another group that wants a banner across the road. Mayor Schwager advised this will be discussed on the agenda.

CLOSED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: APRIL 16, 2020 BUDGET MEETING

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the minutes from the Mayor and Council budget meeting of April 16, 2020 be approved.

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

APPROVAL OF MINUTES: APRIL 22, 2020

On motion of Councilman Pignatelli, seconded by Councilman Levy, the minutes from the Mayor and Council meeting of April 22, 2020 be approved.

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

APPROVAL OF MINUTES: MAY 1, 2020 SPECIAL MEETING

On motion of Councilman Pignatelli, seconded by Councilman Van Eck, the minutes from the Mayor and Council special meeting of May 1, 2020 be approved.

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

DOG PARK PRESENTATION:

Ryan Schwertfeger thanked everyone for their support. The Dog Park Committee has raised over \$ 37,000 and there is approximately \$ 40,000 in pledged donations so the dog park is ready to be built. Mr. Schwertfeger explained that there were minor changes made to the plantings. The plan has been approved by the Great Oak Park Committee. If the Mayor and Council approve the plans, the dog park can begin construction.

MOTION TO APPROVE:

On motion of Councilman Knapp, seconded by Councilman Levy, the Council gives consent for the Dog Park to be constructed at Great Oak Park.

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

A resolution to formally ratify the action will be listed on the next agenda.

APPROVAL OF SIGN FOR INDIAN HILLS GRADUATES:

Mayor Schwager advised she received a phone call this past weekend from a parent of a graduating senior. She asked for the Senior Class group photo to be put up in Bush Plaza. She asked if they could line the streets with the students' pictures and Mayor Schwager responded

there the Mayor and Council would have to vote on this. Mayor Schwager advised that the Borough only used to put a banner across Ramapo Valley Road for the carnival but now we can't get permission from Rockland Electric to use the utility poles to hang a banner. Mayor Schwager spoke to the Mayors of Franklin Lakes and Wyckoff to see what they were planning to do. Franklin Lakes is putting up congratulatory signs in the park across from The Market Basket. They are only allowing the sign up for two weeks and it would be first come first served. Wyckoff is trying to find a location to put a sign. The sign Oakland is being asked to approve is 5' x 10'.

Councilman Talamini commented that the Council should do whatever it can do to make lemonade out of lemons. As long as the size of the sign is not a hazard, the Council should accommodate the students and parents. Councilman Biale feels they Council should approve the sign to honor the seniors and make this special. Councilman Pignatelli commented that there is an ordinance for signs at Bush Plaza and the signs should not be greater than 32 square feet. He feels the picture will present a problem since there are 300 graduates. He suggested the sign should say Congratulations to the Graduating Class 2020 for Indian Hills, Ramapo, Valley Middle School and Barnstable Academy. Councilman Levy stated all schools should be included because they all have graduates. The only place he thinks can accommodate big signs would be the field at the end of Truman Blvd. Bush Plaza is not big and can't be blocked by too many signs. People can see Truman field from the highway.

Mayor Schwager responded that the request is from parents of Indian Hills to put a group photo at Bush Plaza. Councilman Levy stated the ordinance for Bush Plaza allows for 32 square feet. Mr. Chewcaskie responded that the ordinance does not apply to municipalities so the Council can waive the ordinance. The Council should take into account the circumstances. Councilman Van Eck stated the Mayor and Council should do what we can for these students. He can't imagine what these seniors are going through. He is in full support of the sign requested. HE was going to suggest putting signs at the Recreation complex which would be safer. He asked if there was any request from the lower schools. Mr. Kunze spoke to the Superintendent yesterday. Dr. Coffaro asked to have individual signs along Route 202 and Mr. Kunze advised it was a safety issue. They spoke about putting signs around the Recreation complex. As of yesterday, they were planning a virtual ceremony and asked if it could be broadcast on Channel 77 and our YouTube channel.

Councilman Pignatelli commented that Ridgewood put a sign at their high school field. It might be safer to put signs at the Rec field because people can pull in and park. Mayor Schwager responded that people can park at the Municipal lot by Remax. She suggested the Council get a rendering of the sign and approve at the next meeting. She reiterated it is a request for a group photo of Indian Hills seniors. If we coordinate with what Franklin Lakes is doing, it can be put up for the week before graduation and the week after graduation. Discussion ensued over suggestions of places to post the sign. Mayor Schwager stated that the Council has time to approve if we follow the protocol that Franklin Lakes is doing. She suggested putting this off to the next meeting and get a rendering with the size.

Councilman Talamini is ok with the size of the sign they suggested but he stated the sign should not be so big that it can fly away and become a sail. He also was fine with having the sign up longer than two weeks. Councilman Levy does not have a problem with the request. Councilman Pignatelli and Councilman Biale agreed. Councilman Van Eck is fine with the proposed sign and suggested putting individual pictures at the Rec complex. Councilman Knapp is fine with the request but asked about what is going to happen when Ramapo and Valley request signs. Mayor Schwager stated the consensus of the Council was to allow the sign.

RESOLUTION 20-134 AUTHORIZE RECREATION REFUNDS

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation fees in the amount of \$ 1359.00; 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:

Alicia Havens, 61 Page Drive, Oakland, NJ , amount \$ 78.00 (softball)
Jessica Giordano (JGio Soccer Training, 44 Bailey Ave, Oakland, amt. \$ 1000 (field use)
Brittany Fixler, 15 Sioux Ave, Oakland, NJ, amount \$ 78.00, amount \$ 78.00 (baseball)
Brian Vitale, 46 Academy Circle, Oakland, NJ, amount \$ 203 (baseball, lacrosse)

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

RESOLUTION 20-135 APPOINT ENVIRONMENTAL COMMISSION SECRETARY

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

WHEREAS, the Environmental Commission is in need of a new Secretary due to a retirement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoints Michael Carelli as the Secretary to the Environmental Commission at an annual stipend of \$ 1,200 effective Monday May 18, 2020.

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

**RESOLUTION 20-136 CONSENT TO WATER QUALITY MANAGEMENT PLAN
AMENDMENT-138 BAUER DRIVE**

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

WHEREAS, the Borough of Oakland desires to provide for the orderly development of wastewater facilities within the Borough of Oakland; and

WHEREAS, the New Jersey Department of Environmental Protection (“NJDEP”) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, a proposed WQM plan amendment publicly noticed in the New Jersey Register and is attached hereto and incorporated by reference herein.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that:

1. The Borough of Oakland hereby consents to the proposed amendment for the purpose of its incorporation into the applicable WQM plan(s).
2. This consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

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

RESOLUTION 20-137 REQUEST FOR EXPANDING PIXELS FOR PUBLIC ACCESS TELEVISION CHANNEL

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

WHEREAS, the Borough of Oakland, through the Oakland Communications Commission, operates a public access television station (channel 77 on Cablevision and channel 45 on Fios); and

WHEREAS, the channel is operated pursuant to a franchise for public education and government (“PEG channel”); and

WHEREAS, the current resolution for the operation of the PEG channel is restricted by Altice (formerly Cablevision) at 48 pixels; and

WHEREAS, 480 pixels is standard definition resolution and is outdated, and 720 pixels is the minimum high definition resolution, and the increase in pixels will sharpen the image quality; and

WHEREAS, the public access channel serves as the main means of broadcasting public meetings as a result of the dangers posed by coronavirus disease (COVID-19); and

WHEREAS, the Mayor and Council of the Borough of Oakland deem it in the best interest of the residents of the Borough of Oakland that the resolution of the Borough public access channel be improved to 720 pixels to better serve the population that utilizes the public access channel; and

WHEREAS, the Borough will be requesting the Board of Public Utilities and its local legislative team to address the resolution issue by requiring Altice (formerly Cablevision) to increase the resolution to 720 pixels.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Borough’s public access cable channel provider, Altice (formerly Cablevision), increase resolution to 720 pixels.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the New Jersey Board of Public Utilities, the Borough’s State Legislative team and Altice.

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

RESOLUTION 20-138 AUTHORIZE SHARED SERVICE AGREEMENT FOR PROVISIONAL COURT ADMINISTRATOR

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

WHEREAS, pursuant to N.J.S.A. 2B:12-10 the Borough of Oakland and the Township of Mahwah are required to provide for a Municipal Court Administrator; and

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et. seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, in accordance with N.J.S.A. 2B:12-1(c) the Borough of Oakland and the Township of Mahwah consent and agree to share the professional services of the Municipal Court Administrator on a provisional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS, the pay rate shall be at a rate established by the Municipal Court Judge but shall not exceed the amount established by the Municipality;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland consents to this agreement with the Township of Mahwah.

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

RESOLUTION 20-139 AUTHORIZE QUALITY CONTROL INSPECTION AND TESTING- FIRE CO. 1

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

WHEREAS, there is a need to perform Quality Control Inspection and Testing for the Fire Co. 1 garage project; and

WHEREAS, SOR Testing Laboratories, Inc. submitted a proposal dated February 12, 2020 in the amount not to exceed \$ 5,000 for the services required; and

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

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

WHEREAS, SOR Testing Laboratories, Inc. has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-669 adopted on July 11, 2012; and

WHEREAS, the award of the contract is for a professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to SOR Testing Laboratories in the amount not to exceed \$ 5,000 for the Quality Control Inspection & Testing services as outlined in their February 12, 2020 proposal for the Fire Co. 1 garage project.

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

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

RESOLUTION 20-140 AUTHORIZE GRANT-BULLETPROOF VESTS

On motion of Councilman Biale, seconded by Councilman Levy, 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 2020 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 FY20 Patrick Leahy Bulletproof Vest Partnership grant with a requested amount of \$ 905.65.

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

RESOLUTION 20-141 ESTIMATE 3RD QUARTER TAXES

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

WHEREAS, in light of the disruption caused by the COVID-19 outbreak, the Division of Local Government Services has strongly recommended that municipalities prepare to issue estimated real property tax bills for the third quarter of 2020, and

WHEREAS, it is anticipated that the Borough Tax Collector will not be in receipt of a certified tax rate in enough time to be able to complete the mailing and delivery of real property tax bills by June 30, 2020 as is required by law; and

WHEREAS, the Tax Collector and the Chief Financial Officer have requested that the Council provide them with the latitude to submit estimated 3rd quarter real property tax bills in the event that they do not timely receive a certified tax rate, which would allow the Tax Collector to complete the mailing and delivery of real property tax bills by June 30, 2020; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed

a certification showing the tax levy for the previous year, and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council approve the estimated tax levy of \$64,634,591 at a tax rate of 2.971; and

WHEREAS, the above levy and rate have been calculated on a worksheet that is attached hereto and made a part hereof by reference; and

WHEREAS, the above levy amount falls between the mandated estimated range required by N.J.S.A. 54:4-66.3(a)(1) and approval will enable the Borough to meet its financial obligations; maintain the tax collection rate; provide uniformity for tax payments; and save the unnecessary cost of interest expenses on borrowing.

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

1. The Tax Collector is hereby authorized and directed to prepare and timely issue estimated tax bills for the Borough of Oakland for the third quarter installment of 2020 taxes.
2. The entire estimated tax levy for 2020 is hereby set at \$64,634,591. The estimated tax rate for 2020 is hereby set at 2.971.
3. In accordance with applicable law, the third quarter installment of 2020 taxes (whether estimated or not) shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.
4. A copy of this resolution shall be forwarded to the Tax Collector and Chief Financial Officer for their records.
5. The Tax Collector and the Chief Financial Officer are hereby authorized to take all steps necessary to effectuate the purpose of this resolution.
6. This resolution shall take effect as herein provided.

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

WORK SESSION:

STREAM MAINTENANCE MANUAL:

Councilman Levy explained that now that Allerman Brook has been repaired, the Borough must have a manual on how to maintain it. The manual will say what to do during certain rain events regarding inspections and repairs. The money for this manual is coming out of the original budget for Allerman Brook. A resolution will be listed on the next agenda.

NJDOT MUNICIPAL AID PROJECT:

Mr. Kunze advised that this year's application is due July 1st. It is an annual grant. Last year we applied for funding for the Ramapo Valley Road sidewalk project and for Seminole Avenue repaving. We were turned down for Seminole Ave. and want to reapply this year. Borough Engineer John Yakimik advised that the grant request will be \$ 300,000. A resolution will be listed on the next agenda.

2020 BERGEN COUNTY OPEN SPACE GRANT:

Mr. Kunze explained that the Letter of Intent is due Monday and the grant submittal is due in mid-June. We will continue with Phase 4 of the flood buyouts with a combination of homes on Lenape Lane and Lakeshore Drive. We would like to start converting the space on Roosevelt Blvd. into a passive park so we will be requesting funds from the Park Improvement grant. This will be a 50/50 grant and we will seek outside funding for the match. It is possible that this project will be done in phases as well.

RESOLUTION TO ENSURE NURSING HOME COMPLIANCE:

Councilman Van Eck submitted a resolution to the Mayor and Council that he would like to have voted on at the next meeting. The resolution calls for the formation of a committee to check on accountability at the nursing home. Mayor Schwager responded that the State has a Public Health Committee who is checking all the nursing homes. She asked who would be qualified to go into the nursing home. Councilman Levy asked if anyone has said this healthcare facility did anything wrong. He asked if anyone in the Borough was qualified to assess the facility. He also questioned if the facility was under legal obligation to accept the terms in this resolution because the facility is answerable to the State.

Mr. Chewcaskie advised that the resolution would establish an investigative committee. Under the Statute referenced, it would be granted broad powers. However, it concerns a State licensed facility. He does not see the facility participating. The committee can request information and ask people to appear at hearings. If there is no response, the people can be issued a subpoena and the Borough can enforce in court. He asked what would Councilman Van Eck want to happen if they choose not to participate.

Councilman Levy asked what we would need \$ 25,000 to give to the Borough Attorney. This resolution would be trying to regulate something we are not qualified to do. He thought Councilman Pignatelli would be the only one who might be qualified. Councilman Pignatelli responded he is not qualified to inspect them from a medical standpoint. Councilman Levy does not feel it is our business to inspect the nursing home. Councilman Biale also doesn't think the Borough should be inspecting the facility since they are regulated by the State and County. He feels we may be creating liability for us.

Councilman Talamini asked about the meeting that the ad-hoc committee held with the nursing home. Councilman Pignatelli advised that he, the Mayor, Mr. Kunze, Board of Health President, First Aid Chief and OEM coordinator met via teleconference with the CEO and nursing supervisor of the facility. They were asked if they were in compliance with CMS requirements, State regulations and County regulations. The CEO responded they were in compliance and he addressed the concerns. However, the committee did not examine records. Mayor Schwager asked if the facility would have to show us records without a subpoena. Mr. Chewcaskie stated the Statute gives power on any matter within the jurisdiction which could be physical jurisdiction or jurisdiction of review power. If a committee is established, they can ask the facility for records. If they refuse to submit the records, we can subpoena and then take them to court.

Mayor Schwager asked Councilman Van Eck what he hopes to accomplish. Councilman Van Eck advised that this issue is important to him because his grandmother died in a nursing home. He explained that the people in this nursing home are our residents. Mayor Schwager advised that nursing homes were required to take COVID patients because the hospitals were overrun.

Councilman Van Eck is asking if they are in compliance with CMS guidelines. Councilman Levy asked Councilman Pignatelli if he was trained to evaluate CMS compliance. Councilman Pignatelli responded he is not. Councilman Levy asked Councilman Van Eck if he feels the nursing home is doing something wrong that needs to be investigated. Councilman Van Eck stated that the nursing home had the highest rate in our community. Councilman Levy responded that they are the most vulnerable population so of course their rate of infection was higher. The nursing home was forced to take in people that were really sick. He asked if they were inspected by the State. Mayor Schwager responded they got a report that they were satisfactory. Mr. Kunze advised that was a sanitary report on the cafeteria. The nursing home indicated that they had a four hour meeting with the State DOH and they were in compliance.

Mayor Schwager suggested that Councilman Van Eck should be the conduit with the State Department of Health to get the information he is looking for. Mayor Schwager responded it is his right as a Councilman to ask the State if the nursing home is in compliance and ask the numbers. If Councilman Van Eck will not call the State, she asked Councilman Pignatelli to call. Councilman Van Eck wants to move forward with the resolution. Councilman Levy responded that whether a committee is created or not, the Borough does not have authority to investigate the nursing home. Mr. Chewcaskie advised that upon reviewing case laws, typically these committees review acts of government. The resolution can be listed and voted upon at the next meeting. Mr. Kunze responded that the CFO would have to certify funds.

Councilman Pignatelli had asked if the facility had discontinued communal eating and therapy. He asked if they segregated COVID patients. He asked if they did early detection. He asked if they took the temperature of their employees. He asked if they monitored deliveries. They responded yes to all questions. Councilman Levy asked Councilman Van Eck if he felt that Councilman Pignatelli's report was complete. Councilman Van Eck responded that we don't have any records. Councilman Levy responded that they are not required by law to give the Borough records. If they do give us records, they would be limited due to privacy issues. He asked what the \$ 25,000 for the Attorney would be for. Councilman Van Eck responded it would be to send letters and do legal work to ensure compliance. Mayor Schwager asked why we would pay the Borough Attorney \$ 25,000 if we can get answers from the State. Councilman Pignatelli advised that we can ask for the results of the infectious control survey. Councilman Van Eck agreed to contact the State.

NEW BUSINESS:

Mayor Schwager advised that someone in the past brought up the issue of raising chickens. She has had another request and asked what the determination had been. Several Council people thought the ordinance had been amended. Mayor Schwager asked for copies of the minutes or the ordinance.

Councilman Van Eck advised that Phase 1 of the park openings have been implemented. The Recreation Commission would like to implement Phase 2 which is opening batting cages and tennis courts. Mayor Schwager responded that the State won't allow this yet. Councilman Van Eck stated other towns are doing this. Mayor Schwager will check with the Governor's representative tomorrow.

OLD BUSINESS:

Councilman Pignatelli advised that at the last meeting, there were residents who brought up the pump station at Huber Lake. He received two letters from concerned residents who want to make sure there is follow up on the meeting that was promised. Mayor Schwager advised that Councilman Levy has been speaking to the residents. We are trying to set up a meeting. Councilman Levy advised he addressed some of the residents' concerns by Huber Lake. Those residents were told by their neighbors that the Borough would be operating a wastewater treatment plant. Councilman Levy explained to them that it would only be a pump station that would go in the upper corner of the property closes to the road and would be a 16x20 building with a fence surrounding it. It will not be near the lake and it will not interfere with the volleyball net. It is a small facility with the pump apparatus below ground and a generator above ground. The generator will have to cycle once per week. Mayor Schwager stated a meeting would be held because she promised the residents. Councilman Pignatelli stated the two letters mentioned that they want evergreen screening so it wouldn't detract from their property. Councilman Levy advised that landscaping can be put around the fence. He explained that these wastewater facilities are allowing effluent to go into the aquifer. There will be no more effluent going into Huber Lake with this pump station. Councilman Biale stated that certain residents thought we were putting a wastewater treatment plant on that site and that is not happening. Councilman Levy advised that the DEP would not allow a wastewater treatment plant to be in close proximity to a lake.

COUNCIL REPORTS:

Councilman Pignatelli: The Public Events Committee met. The only other time the carnival company could give us was June 24th or Halloween weekend which would interfere with the Halloween parade. They canceled the carnival. The Environmental Commission is going to suggest a townwide clean up where residents can go out on their own. There was no Green Team meeting.

Councilman Van Eck: The Planning Board meeting was postponed. The OCC has four episodes of This Week in Oakland. It is a fantastic program and he thanked everyone who has worked on this. It airs everyday at 9 am and 6 pm. Volunteers are needed for the tv and newsletter committee. He advised residents to email the Crossroads committee with any Hometown Heroes to be featured. Recreation holds hope that they will have baseball, softball, tennis and lacrosse programs. Cheerleading and soccer sign ups are taking place online. The tennis court will be resurfaced in September.

Councilman Levy: The Capital Projects Committee did ask Boswell to give a proposal for the Patriots Way Bridge. Boswell has four months of work to do on this project. Borough Engineer John Yakimik advised that a lot depends on the utility company, the need to apply to the DEP for permits, and the County. He explained that we want to be in a position where the bridge is closed for the least amount of time possible. He explained that we would probably want to close the bridge in the winter and reopen in the spring when we can do asphalt. Councilman Pignatelli commented that the President spoke about a proposed infrastructure bill. Councilman Levy responded that part of Boswell's proposal is to seek grants. The proposal is \$ 210,000 and will get us shovel ready. Hopefully Bergen County will take the bridge over once it is complete. This will be put on the next meeting for resolution. Councilman Levy advised that the Borough will have a flood seminar on Friday at noon to discuss things to get the flood insurance rates down.

Councilman Talamini: The preliminary vote shows the school budget passed. He watched the Ramapo Indian Hills Board of Education meeting. It is understandable that parents and students

are upset about graduation but he advised that the Principals, Superintendent and Board members didn't want this to happen. They are doing what they can and working very hard to have some ceremony. The Finance Committee met this morning. There are more changes that need to be done to the budget so we are going to have to do an amendment. Mr. Kunze explained that there are changes in terms of revenue and looking at offsetting cuts on appropriations. This will require a separate hearing on the amendment so adoption will be delayed until the first meeting in June. Things keep changing with this budget and CFO David Young is doing a fantastic job. Councilman Talamini advised that the digital Library is open 24/7. There are activities and residents can rent movies and audio books. Councilman Talamini was approached by a resident who complained about people shooting off fireworks because she has a child with epilepsy. He asked residents to think about their neighbors before setting off fireworks. Councilman Talamini spoke of fun his kids had socially distancing with their neighbors. He asked residents to email him with some ideas of activities for kids.

Councilman Biale: The Senior Center is coordinating a volunteer food shopping program for seniors who can't go into stores. He advised anyone who needs assistance to call the Senior Center or email. There is free zoom class open to all residents. You must register on Community pass. It will be held Tuesday and Thursday. The DPW will have a full crew back next week and they will be filling potholes. If anyone knows of street lights that are out, call the DPW. Mayor Schwager asked if there will be another shredding day. Councilman Biale responded they are trying to schedule a day.

Councilman Knapp: The Police are enforcing criminal acts and traffic violations as well as enforcing the COVID-19 Executive Orders. They thanked the Oakland residents and businesses for their compliance. The Fire Department is responding to calls. The Department suffered losses with Gary Walker and 55 year member Joseph Gallup due to COVID. The Fire Department buildings are closed except for emergency responses. The First Aid squad thanked residents for their acts of kindness and generous donations. They participated in a FEMA event to send off 175 ambulances. The First Aid Squad is accepting new members. Councilman Knapp suggested that people shop locally when businesses open. He advised residents to wear a mask when they go into stores.

Councilman Pignatelli commented that people are discarding gloves on the sidewalks. He asked residents to throw gloves away in the garbage.

OPENED FOR PUBLIC DISCUSSION:

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

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

Louise Bagi, 5 Hobart Place, wanted to clarify because the sign for the graduates has morphed since the original request for the class photo. The original intent was to do something for the kids at Indian Hills. She showed the class picture they were going to use. If the banner is approved, the Principal would email all parents asking for permission. Now Ramapo parents are asking if they can get a sign as well. Maybe the request should be revised to add another banner. Mr. Kunze advised the Council wants to do whatever it can to support students. The parents should work out something collectively.

Rosa Kilpatrick, 58 Rutgers, asked for approval for two banners if the signs are made smaller. Councilman Talamini responded that could be done if the signs are stacked. Mayor Schwager questioned the size. She advised that the Council just approved a 5 x 10 sign at Bush Plaza so she advised Ms. Kilpatrick to talk to Ramapo and find out what they want to do. Councilman Knapp advised that the Indian Hills banner was just approved for Bush Plaza. He suggested moving the First Responders banner for those two weeks so there can be a Ramapo banner there as well as Indian Hills. Everyone agreed.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Talamini, seconded by Councilman Pignatelli, 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 Biale, seconded by Councilman Pignatelli, the meeting be adjourned at 9:54 pm.

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

Lisa M. Duncan

Linda H. Schwager

Lisa M. Duncan, Borough Clerk
May 27, 2020

Mayor Linda H. Schwager

Date Approved