

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
VIA TELEPHONE CONFERENCE
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY MARCH 25, 2020

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Talamini, 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
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.

Discussion ensued over personnel matters.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, 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 7:30 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.

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. This meeting is being held telephonically pursuant to guidelines issued due to the COVID-19 emergency. There will be no flag salute or moment of silence this evening.

MAYOR'S REPORT:

Mayor Schwager advised that this meeting is being held by telephone conference as permitted by law. The public can call in during the public portion of the meeting. The Borough has listed updates on the COVID-19 crisis on the Borough website, Facebook, Twitter and by Reverse 911 messages. If residents are not getting the Reverse 911 calls, they should register for Swift 911 on the Borough website. Residents can also sign up for email of the daily messages. She asked residents to please follow CDC guidelines and stay home. That is what the Governing Body is doing tonight. There are more than 4000 cases in New Jersey, more than 700 cases in Bergen County and 6 cases in Oakland. Mayor Schwager reminded residents that Borough parks, playgrounds and tennis courts are closed because it is not safe for people to congregate.

OPENED FOR PUBLIC DISCUSSION:

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

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

No calls were received.

CLOSED FOR PUBLIC DISCUSSION:

On motion of Councilman Levy, seconded by Councilman Knapp, 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: FEBRUARY 26, 2020

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of February 26, 2020 be approved.

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

APPOINTMENT TO GREEN TEAM:

Mayor Schwager appointed Patricia Weiman to a one-year term on the Sustainable Oakland Green Team.

RESOLUTION 20-117 APPOINT FULL-TIME DISPATCHER

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

BE IT RESOLVED that the Mayor and Council hereby authorize the hiring of a Lindsey Margo as a full-time dispatcher for the Police Department at a Step II salary of \$49,910 in accordance with the current White Collar Contract effective March 25, 2020.

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

RESOLUTION 20-118 AWARD BID-FIRE EQUIPMENT

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

WHEREAS, the Municipality is a member of the Bergen Municipal Health Insurance Fund; and

WHEREAS, the Bergen Municipal Health Insurance Fund is establishing an employee wellness program for its member municipalities, known as the Bergen Municipal Health Insurance Fund Employee Wellness Program; and

WHEREAS, the purpose of the employee wellness program is to encourage healthier lifestyle choices for employees, improve employees' knowledge regarding health, and improve the overall health of employees of the member municipalities; and

WHEREAS, the employee wellness program will proceed in Phase II for 2020 and Phase III for 2021 as detailed in the Wellness Program Announcement Letter and Employee Wellness Agreement, appended hereto; and

WHEREAS, the Borough Council supports the purposes of the employee wellness program and seeks to participate in the program to support the good health of its employees; and

WHEREAS, Oakland received a \$10,000 grant from the Bergen Municipal Health Insurance Fund to start their Employee Wellness Program;

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

1. The Municipality is hereby authorized to participate in the Bergen Municipal Health Insurance Fund Employee Wellness Program.
2. The Municipal Administration is hereby authorized to take any necessary actions to facilitate participation in the Employee Wellness Program, including, but not limited to, requiring participating employees to review and execute the Wellness Program Announcement Letter and Employee Wellness Agreement. The

Municipality shall take all necessary actions immediately to implement the Employee Wellness Program.

- 3. Full time employees that waive their health benefits are eligible to participate in the Employee Wellness Program if they choose to.
- 4. The Borough acknowledges and agrees that Phase II, ending December 31, 2020, will require the Municipality to commit to and provide a point system incentive of \$5 per point for each participating employee. These incentives will be at the sole cost and responsibility of the Municipality.
- 5. A copy of this Resolution shall be forwarded to the Municipal Clerk of the Municipality

This Resolution shall take effect immediately.

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

RESOLUTION 20-119 TEMPORARY BUDGET AMENDMENT

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

WHEREAS, temporary 2020 appropriations were established per N.J.S.A. 40A:4-19 to support contracts, commitments or payments that are to be made during the 1st quarter prior to the adoption of the budget, and

WHEREAS, the budget has not been adopted and there are contracts, commitments or payments for the 2nd quarter to be made prior to adoption of the budget, and per N.J.S.A. 40A:4-19 temporary appropriations should be made for the purposes and in the amounts required, and in the manner and time therein specified; and

WHEREAS, NJSA40A:4-20 of the Local Budget Law provides that in addition to temporary appropriations necessary for the period prior to the adoption of the budget, the governing body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the adoption of the budget.; and

WHEREAS, the total appropriations in the 2019 Budget, less appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$17,170,286.50
Water Utility Operating Fund	\$1,576,318.40
Sewer Utility Operating Fund	\$539,725.33

WHEREAS, 26.25% of the total appropriations in the 2019 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$4,507,200.21
Water Utility Operating Fund	\$413,783.58
Sewer Utility Operating Fund	\$141,677.90

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2020 appropriations, which do not exceed 26.25% of the appropriations in the 2019 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, be made for the 2nd Quarter of 2020 and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Director of the Division of local Government Services.

CURRENT	S&W	OE
ADMINISTRATIVE & EXECUTIVE	48,642	2,000
COMMUNICATION COMMISSION	-	2,900
GENERAL SERVICES	15,946	16,700
MAYOR & COUNCIL	8,710	4,200
MUNICIPAL CLERK	16,482	5,500
ELECTION	402	3,200
FINANCIAL ADMINISTRATION	37,989	10,300
AUDIT	-	-
INFORMATION TECHNOLOGY	-	40,000
TAX COLLECTION	13,936	1,800
TAX ASSESSMENT	14,003	3,800
LEGAL SERVICES	-	30,000

ENGINEERING	-	14,700
PLANNING BOARD	2,881	3,700
BOARD OF ADJUSTMENT	2,948	1,900
UNIFORM CONSTR CODE	60,700	10,900
INSURANCE	-	442,200
POLICE DEPARTMENT	770,500	44,000
EMERGENCY MANAGEMENT	1,608	2,700
FLOOD CONTROL COMMITTEE	871	400
Contribution to First Aid Squad	-	45,000
FIRE DEPARTMENT	13,266	28,400
PROSECUTOR	-	5,100
STREETS & ROADS	92,661	29,000
SHADE TREE	-	10,000
STORMWATER MANAGEMENT	10,988	7,400
GARBAGE & TRASH REMOVAL	12,864	353,000
SNOW REMOVAL	18,626	60,000
BUILDINGS & GROUNDS	32,562	43,800
VEHICLE MAINTENANCE	12,596	19,900
BOARD OF HEALTH	11,457	47,400
ENVIRONMENTAL COMMISSION	268	300
RECREATION	30,150	79,000
SENIOR CITIZENS ACTIVITIES	12,730	12,000
PUBLIC LIBRARY	73,968	116,300
ELECTRICITY	-	59,700

STREET LIGHTING	-	36,800
TELEPHONE	-	23,200
NATURAL GAS	-	8,000
GASOLINE	-	42,000
PERS		398,000
PFRS		906,450
Social Security	-	126,800
Defined Contribution Plan	-	1,700
MUNICIPAL COURT	23,450	2,100
PUBLIC DEFENDER	-	2,800
Totals	1,341,204	3,105,050

Total	4,446,254
Higher / (Lower) than 26.25%	(60,946)

Account Description	S&W	OE
<u>WATER</u>		
WATER - OPERATIONS	158,000	170,000
WATER - UTILITIES	-	68,000
WATER - Social Security	-	12,000
Totals	158,000	250,000

Total	408,000
Higher / (Lower) than 26.25%	(5,784)

Account Description	S&W	OE
<u>SEWER</u>		
SEWER - OPERATIONS	-	128,400
SEWER - UTILITIES	-	10,800
SEWER - Social Security	-	1,200

Totals	-	140,400
Total		140,400
Higher / (Lower) than 26.25%	(1,278)	

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

RESOLUTION 20-120 AUTHORIZE USE OF STORM RECOVERY RESERVES FOR CORONAVIRUS RESPONSE

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

WHEREAS, N.J.S.A. 40A:4-62.1 permits a municipality or county to adopt a resolution authorizing storm recovery reserve funds to be used for "any purpose necessary to protect the safety, security, health, and welfare, of its citizens from the damage caused by an emergency declared by the Governor or the President of the United States."; and

WHEREAS, a state of emergency has been declared by the President of the United States on March 13, 2020;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the Funds in the Snow Removal Trust Fund be made available if necessary to protect the safety, security, health, and welfare, of the Citizens of the Borough of Oakland. Any reimbursement of these expenditures shall be deposited back into the reserve.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Director of the Division of local Government Services.

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

INTRODUCTION: ORDINANCE NO. 20-CODE-807 AMEND FEE ORDINANCE

The Clerk was directed to take from table Ordinance No. 20-Code-807 and read by title for its first reading.

The Clerk then read by title Ordinance No. 20-Code-807 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND TO ESTABLISH A FEE FOR PARTICIPATION IN THE LIVING HEALTHY JOURNEY PROGRAM.

On motion of Councilman Pignatelli, seconded by Councilman Levy, 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 Establish A Fee For Participation In The Living Healthy Journey Program, be introduced;

That said Ordinance be considered for final adoption at a meeting on April 7, 2020 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before March 30, 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: All yeas, Councilmembers Biale, Knapp, Levy, Pignatelli, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 20-CODE-808 CAP BANK ORDINANCE

The Clerk was directed to take from table Ordinance No.20-Code-808 and read by title for its first reading.

The Clerk then read by title Ordinance No. 20-Code-808 entitled: "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

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

BE IT RESOLVED that an Ordinance entitled, ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14), be introduced;

That said Ordinance be considered for final adoption at a meeting on April 7, 2020 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before March 30, 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: All yeas, Councilmembers Biale, Knapp, Levy, Pignatelli, Talamini, Van Eck.

WORK SESSION:

BOSWELL PROPOSAL-GREAT OAK PARK BANDSHELL:

Mr. Kunze advised that Boswell's proposal has been revised. It has been determined that the site work is to be done by volunteers and coordinated with Boswell. The cost will be \$7900 and the geotechnical investigation will be subcontracted out. Mr. Kunze would like to move ahead with a resolution at the next meeting. Mr. Yakimik advised that the site plan will be contributed and the Borough is working with Peter Kikot on the site plan to put in the bid documents.

DIGITAL INFORMATION SIGN FUNDING:

Mr. Kunze advised that bids for the digital sign were opened on March 12, 2020. Two bids were received with the low bidder being Allied Signs at a price of \$ 68,495. The other bid was much higher. We received a donation of \$ 37,500 so we need additional funding of approximately \$ 31,000. Mr. Kunze knows there was a question about the location. The bid specifications called for the sign to be installed in front of Veterans Park. If we move the location, we must reject the bids. However, we are still going to need supplemental funding. We would prepare a fully-funded capital ordinance for introduction at the next meeting.

Mayor Schwager commented that \$ 30,000 between bidders is high. Mr. Yakimik advised that the low bidder was more in line with the estimate. The high bid is unresponsive. Councilman Levy commented that when the process first began, we were talking about a \$ 30,000 sign. He asked how the cost increased to \$ 70,000. Mr. Kunze explained that the signs come in various sizes and resolutions. We specified a 5 x10 sign with 8 mm resolution. He reiterated that Allied's bid was in line with estimates. Mr. Yakimik explained there are architectural treatments such as stone work added to the cost. Councilman Pignatelli questioned who is going to control the material on the sign and asked if guidelines will be developed. Mr. Kunze responded the material that goes on the sign will be specified by the Borough and we will have final control. The sign is meant for messages by the Borough not for private entities. He advised that the sign can rotate up to 100 messages.

Councilman Levy asked if the cost to remove the old sign is calculated into this price. Mr. Kunze responded the cost is just the price to install the new sign. The Rotary Club asked for the old sign to be returned. Councilman Biale explained that when we started the process two years ago, we had many quotes all around the price of Allied's bid. Mr. Kunze advised that we had looked at purchasing from State contract but the vendor's pricing was similar to the high bidder. Councilman Levy asked who evaluated between the \$ 30,000 sign and the \$ 70,000 sign. Councilman Biale responded that the committee was made up of Mr. Kunze, Mr. Yakimik, DPW Superintendent Marcucilli, Chief Sanzari, Mayor Schwager and himself. Mr. Kunze explained that the committee had different vendors bring different size and resolution signs. He advised there was a rather extensive amount of research done.

Councilman Pignatelli commented that the sign could be used for emergency management notifications. Councilman Biale agreed. He wished we had the sign now to put messages on the closings due to Coronavirus. Councilman Pignatelli commented that the sign can be used when there is flooding in town. Councilman Talamini asked how much money are we looking to spend. Mr. Kunze responded approximately \$ 30,000. Councilman Talamini asked if we want to postpone this because there are a lot of tough decisions to make with the budget. Mayor Schwager responded that we need a new sign.

Councilman Biale advised that he started 20 years ago trying to change the sign. The DPW has to manually change the sign every couple of weeks. We could have paid for the sign already with the amount we pay an employee to manually change the sign. Councilman Van Eck questioned what those numbers are. Councilman Biale responded that the amount of labor spent over the past years would have paid for the new sign. He stated this new sign is going to be around for the next 30 years. He explained that we chose 8 mm to get the higher optic because we want this sign to last as many years as possible. Mayor Schwager commented that we want is a sign that is attractive to the town. Our current sign is embarrassing because it is not up to date. She explained that the committee did homework and researched other signs. This has been ongoing for two years. Councilman Van Eck questioned why people should drive to a sign for information instead of checking social media. He has not seen a design or specifications.

Councilman Biale explained that there was a mock up of the sign in the proposed location last year. Mayor Schwager reiterated that the committee researched the signs. Councilman Biale explained that we obtained other estimates over the years and they were all around \$ 65,000.

Councilman Levy questioned how long it takes a DPW worker to change the sign. Mr. Kunze had a conversation with Anthony Marcucilli and Jimmy McWilliams. They advised that it is a labor intensive process to set up the sign. He doesn't have actual numbers to give the Council now. Councilman Levy stated the issue is the cost of \$70,000. Councilman Biale responded it takes a DPW employee three total hours to change the lettering. Our investment is \$ 31,000 for a \$ 70,000 sign that will last 30 years. Councilman Levy stated the Council has to make difficult decisions this year. Mayor Schwager suggested the Council submit any questions to Mr. Kunze and he will have answers for the next meeting. She stated the longer we wait, the prices will go up each year. Councilman Biale advised that the donation might not be there later. Mayor Schwager stated we will have a discussion next meeting.

NEW BUSINESS:

Councilman Van Eck advised that the Knights of Columbus are helping feed families in need. They will take donations and order from local restaurants. Mayor Schwager will put this information on her Facebook page. She thanked the Knights of Columbus.

Councilman Knapp read a text message he received complimenting the DPW on the landscaping and maintenance of Vets Park.

OLD BUSINESS:

Councilman Pignatelli asked for an update on the traffic study, Skyline Drive and the sign on 287. Mr. Yakimik reached out to the County with regard to the traffic study. He also reached out regarding efforts to help fund Patriots Way Bridge and he was told the DOT was basically shut down dealing with the COVID-19 crisis.

COUNCIL REPORTS:

Councilman Biale: The Senior Center is closed until further notice. Senior Center Director Arielle Preciado is doing an incredible job being the facilitator for the Oakland Mothers Club who volunteered services for getting items for Seniors who can't go to the store. DPW has advised that electronics pickup is cancelled until further notice. Metal pick up is being postponed. The DPW is working in split shifts and everyone is riding solo in the trucks to avoid contact. There are only two people in the office and one person in the garage. Mayor Schwager asked Councilman Biale to follow up on the shredding date to see if it will be rescheduled.

Councilman Knapp: He read a message from the Oakland Police Chief on how the Police Department has adjusted operations to handle COVID-19. Officers will respond but it may be handled differently.

Councilman Levy: There is no report for Shade Tree or Flood Commission. He reminded residents who live on the Ramapo River to be careful of doing work within 100' of the Ramapo River because they will need permits from the DEP.

Councilman Pignatelli: The Easter Egg Hunt is cancelled.

Councilman Talamini: The Library building is closed but the digital library is available on the website. Anyone with questions can email the Library Director. The schools are closed indefinitely. Dr. Coffaro thanked the Mayor and Mr. Kunze for keeping up the lines of

communication during this crisis. The students are learning electronically. The Finance Committee will look at the budget again. Councilman Talamini wanted to say hi to the players he would have been coaching this spring. He thanked Borough employees and volunteers for all they are doing in this crisis.

Mayor Schwager advised that the budget introduction has been delayed.

Councilman Van Eck: The Planning Board meeting for April 2nd has been cancelled. The next meeting is May 7th. The Recreation Commission has cancelled the March 27th meeting. If the emergency is lifted, there will be an emergency meeting to address the Recreation program. At this time, all parks are closed. Recreation is hoping for a spring season. Football, cheerleading and lacrosse signups are being conducted online. Camp Counselors will be announced soon. The OCC encouraged residents to sign up for reverse 911 calls on the home page of the Borough website. The TV Committee and Newsletter Committee are looking for volunteers. OLPH has been broadcasting their mass over the years. The OCC will broadcast other religious services as well.

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.

No calls received.

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.

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 Levy, seconded by Councilman Pignatelli, the meeting be adjourned at 8:30 pm.

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

Lisa M. Duncan

Linda H. Schwager

Lisa M. Duncan, Borough Clerk
April 7, 2020

Mayor Linda H. Schwager

Date Approved