

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY FEBRUARY 23, 2022

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Slasinski, seconded by Councilman Kulmala, 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; Easement Appraisal 609 RVR
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 Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

Discussion ensued over personnel matters and the easement appraisal for 609 Ramapo Valley Road. No action taken.

CLOSE EXECUTIVE SESSION:

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, 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 Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.
Absent: Councilman Talamini. Also Present: Michael Carelli, Deputy Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced that this meeting is being held in accordance with the Open Public Meetings Law, duly announced, advertised and posted in the Municipal Building. The meeting will adjourn at 10:00 pm unless a majority of the Councilmembers that are present vote to extend the time.

EXCUSE ABSENCE:

On motion of Councilman Kulmala, seconded by Councilman Pignatelli, the absence of Councilman Talamini be excused.

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

MAYOR'S REPORT:

Mayor Schwager announced that FLOW Follies will take place the weekend of March 4, 2022 at Ramapo High School. For tickets and more information, visit www.flowfollies.org.

Mayor Schwager announced a Vietnam Veteran's Ceremony on March 29, 2022 at 10:00 a.m. at Veteran's Park.

Mayor Schwager then announced that the Bergen County Trust Fund Municipal Park Improvement Fund is now accepting applications for FY22. Mayor Schwager suggested an application to fund improvements at Bush Plaza/Station Park. Mayor Schwager thanked Oakland resident Kevin Heffernan for his efforts and involvement in past grant applications. Mayor Schwager announced the formation of the Station Park AD-Hoc Committee consisting of Kevin Heffernan, Michael Guadagnino, Thomas Connolly, Edward Clark, Lee Haymon, and Councilman Steven Saliani.

Mayor Schwager reported that in early January 2020, the Bergen County Board of Taxation notified Oakland that they were sending a Revaluation Order to the State of New Jersey. The Order was signed on or about January 30, 2020. Oakland received a copy of the signed Order on or about February 12, 2020. The Borough was formally ordered to conduct a Revaluation for the 2021 Tax Year. With the ensuing COVID-19 pandemic beginning March 2020, the County Board of Taxation ultimately agreed to extend all Reval/Reassessment Orders in Bergen County by one year. Oakland's last Revaluation was in 2005. Subsequently, due to the real estate market crash

of 2007+, the Borough opted to conduct a smaller scale Reassessment in 2011. Accordingly, Oakland's Revaluation Order was amended and due to be implemented for the 2022 tax year. Mayor Schwager then explained the benefits of an annual assessment program and how the program works. Mayor Schwager reminded residents that Oakland was ordered to conduct the revaluation. Mayor Schwager commented that if any residents have questions, to please contact her via email or phone.

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 Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

Kevin Heffernan of 40 Grove Street commented on the Central Business District and its lack of community pride and planning. Mr. Heffernan commented that he hopes the Governing Body takes community pride and downtown Oakland very seriously, and consider redevelopment plans and improvements in the near future.

CLOSED FOR PUBLIC COMMENT:

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

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

APPROVAL OF MINUTES: FEBRUARY 9, 2022

On motion of Councilman Saliani, seconded by Councilman Van Eck, the minutes from the Mayor and Council meeting of February 9, 2022 be approved.

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

PRESENTATION OF SMALL TOWN AMERICA CIVIC VOLUNTEER AWARD

OCC Chairman Ryan Schwertfeger was chosen as a Top 100 national winner of the 2021 Small Town America Civic Volunteer Award. Councilman Van Eck and Mayor Schwager presented the certificate.

APPOINTMENT: SHADE TREE COMMISSION

Mayor Schwager moved Alexandro Suriano from the Alternate 2 to the Alternate 1 position on the Shade Tree Commission. The expiration of the term will be December 31, 2026.

APPROVE RAFFLE LICENSE RL1418:

On motion of Councilman Pignatelli, seconded by Councilman Van Eck, approval be granted for Raffle License RL1418 for Mothers Club of Oakland to hold an on-premise 50/50 raffle on April 29, 2022 at Portobello, 155 Ramapo Valley Road.

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

APPROVE RAFFLE LICENSE RL1419:

On motion of Councilman Saliani, seconded by Councilman Van Eck, approval be granted for Raffle License RL1419 for Mothers Club of Oakland to hold an on-premise raffle for merchandise on April 29, 2022 at Portobello, 155 Ramapo Valley Road.

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

APPROVE BINGO LICENSE BL1420:

On motion of Councilman Slasinski, seconded by Councilman Saliani, approval be granted for Bingo License BL1420 for Manito School PTO to hold a pocketbook bingo on March 19, 2022 at Knights of Columbus, 7 Courthouse Place.

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

RESOLUTION 22-89 AUTHORIZE MINI GRANT APPLICATION

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

WHEREAS, the Bergen County Department of Health Services is offering a Bergen County Mini Clean Communities Grant Program to municipalities to sponsor programs to eliminate litter;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, hereby authorize the Borough Administrator to apply for the Bergen County Mini Clean Communities Grant in the amount of \$300.00 for the Borough Cleanup Event on April 30, 2022.

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

RESOLUTION 22-90 AUTHORIZE CONTRACT-IROQUOIS PUMP STATION CONSTRUCTION ADMINISTRATION

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

WHEREAS, there is a need for Construction Administration for the Iroquois Pumping Station Upgrades project; and

WHEREAS, Boswell Engineering has submitted a proposal dated February 18, 2022 for the engineering services required at a total not to exceed cost of \$ 11,500;

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-833-202;

WHEREAS, Boswell Engineering 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 authorize Boswell Engineering to perform the Construction Administration services for the Iroquois Pumping Station Upgrades project at a cost not to exceed \$ 11,500.00; and

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

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

RESOLUTION 22-91 AMEND TEMPORARY BUDGET-LIBRARY FUNDING

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

WHEREAS, N.J.S.A.40A: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.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, based on the recommendation of the Chief Financial Officer, that the following emergency temporary appropriations be made and that a certified copy of this resolution be filed with the Director of the Division of Local Government Services:

Current Fund

State & Federal Grants

Library HVAC Unit Replacement	\$76,000.00
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ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

RESOLUTION 22-92 AWARD CONTRACT-LIBRARY HVAC

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

WHEREAS, there is a need to replace one HVAC unit at the Oakland Public Library; and

WHEREAS, D & B Service Group, 444 John F. Kennedy Drive N., Bloomfield, NJ 07003 has the Region 4 ESC Contract #R200401 through Omnia Partners National Purchasing Co-op; and

WHEREAS, D & B Service Group has submitted Proposal #R200401-NJ-313586 dated January 4, 2022 for the services required in the amount of \$ 76,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #G-02-22-784-001 \$ 76,000;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award the contract for the replacement of the one HVAC unit at the Library to D & B Service Group.

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

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

RESOLUTION 22-93 AUTHORIZE GRANT AGREEMENT FOR CDBG GRANT

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

BE IT RESOLVED that the Mayor and Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$42,191 Community Development funds for the Senior Center COVID-19 Upgrades;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Mayor Linda H. Schwager to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Richard S. Kunze to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the Borough of Oakland is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of the Borough of Oakland on February 23, 2022.

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

RESOLUTION 22-94 ACCRUED TIME PAYOUT-J. SANTULLI

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

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Jessica Santulli for sick, vacation, personal and compensatory time accumulated in the amount of \$ 438.90; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 438.90 composed of 16.5 hours of vacation time, 0 hours of sick time, and 0 hours of personal time and 0 hours compensatory time be paid out to Jessica Santulli. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

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

INTRODUCTION: ORDINANCE NO. 22-CODE-877 AMEND SECTION 59-9 “APPEALS”

The Clerk was directed to take from table Ordinance No. 22-Code-877 and read by title for its first reading.

The Clerk then read by title Ordinance No. 22-Code-877 entitled: " AN ORDINANCE REPEALING CHAPTER 59 ENTITLED “LAND USE AND ZONING”, ARTICLE III ENTITLED “ADMINISTRATIVE PROCEDURES; FEES, SECTION 59-9 ENTITLED “APPEALS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND.”

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Repealing Chapter 59 Entitled “Land Use And Zoning”, Article III Entitled “Administrative Procedures; Fees, Section 59-9 Entitled “Appeals” Of The Revised General Ordinances Of The Borough Of Oakland, be introduced;

That said Ordinance be considered for final adoption at a meeting on March 9, 2022 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 February 28, 2022 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 Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

WORK SESSION:

RESOLUTION URGING RESTORATION OF ENERGY TAX RECEIPT FUNDING:

Mr. Kunze explained that legislation has been introduced in the State Senate that would restore State Aid to municipalities to the level it was at in 2008, before aid amounts were cut due to the great recession. While it does not adjust aid for inflation over the last 14 years, this legislation would still be of significant benefit to our taxpayers because our annual aid amount is \$374,179 less than it was in 2008. This amounts to a cumulative revenue loss of \$4,527,007 since then. Based on the provisions in the bill, aid would be restored over a five year period at a rate of 20% per year and the additional aid must be used to reduce the amount raised by property taxes. The consensus was to list a resolution on the next agenda.

NEW BUSINESS:

Councilman Kulmala asked the Borough Administrator if the Borough could use the same grant funding for Station Park/Bush Plaza and use it for site improvements at the Van Allen House. Borough Administrator Richard Kunze stated that the Borough has applied in the past for grant funds through Bergen County for interior and exterior renovations at the Van Allen House, and that once the Stream House is completed, the Borough would look to fund potential site and landscape improvements.

Councilman Kulmala suggested that the Council President form a Redevelopment Committee with all of the ongoing moving parts with the Central Business District. Councilman Pignatelli responded to Mr. Heffernan's public comment that he was insulted and noted that the current Governing Body has many accomplishments. Mayor Schwager commented that she has been working on revitalizing the Oakland Community of Commerce and suggested that Councilman Pignatelli attend as well.

Councilman Van Eck asked the status of the Tennis Court Resurfacing Project and why the project has been delayed. Borough Administrator Richard Kunze added that the Borough was exploring a co-op vendor which would result in cost savings but such has been non-responsive and the Borough will most likely have to pursue formal public bidding. A proposal will be submitted for the March 9, 2022 Council Meeting for consideration. Councilman Van Eck expressed frustrations over the project timeframe.

Councilman Van Eck asked the Governing Body to consider honoring our Veterans for Memorial Day and Veteran's Day by featuring local veterans on street banners and/or social media postings. The subject was referring to the Administration Committee for discussion.

Councilman Van Eck questioned the Borough of Oakland's mask mandate for Borough facilities and Council Meetings. Mayor Schwager advised that it is a Governing Body decision whether or not to require masks for the Council Meetings.

On motion of Councilman Pignatelli, seconded by Councilman Van Eck, masks are not to be required for Borough Council Meetings beginning on March 9, 2022.

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

OLD BUSINESS:

COUNCIL REPORTS:

Councilman Van Eck: Councilman Van Eck reported that registration is open for several sports. There is a Recreation Commission Meeting this Monday February 28, 2022. Councilman Van Eck reported that the Communications Commission is seeking volunteers for the Borough Newsletter and TV Committee. Councilman Van Eck also reported that the newly formed Access for All Committee is meeting next week and is working on future projects. Councilman Van Eck added that he has signs from Assemblyman Bob Auth and would like to see them installed at the entrances into Oakland. They have Assemblyman Auth's Legislative Office contact information. Mayor Schwager advised that Assemblyman Auth's office location might change due to the redistricting process, and to please check before installing.

Councilman Kulmala: Councilman Kulmala reported that the Oakland Community Garden is accepting registrations for the 2022 growing season. For more information, visit the Borough website. Councilman Kulmala added that the Oakland Police Department would like to remind residents of identity theft awareness and for residents to be cautious in regards to spam phone calls and spam emails. Councilman Kulmala added that the Borough Engineer has reported that Patriot's Way Bridge remains safe for pedestrian and vehicular traffic.

Councilman Pignatelli: Councilman Pignatelli reported that the Environmental Commission is hosting a Borough Clean Up on April 30, 2022. For residents interested in earning community volunteers hours, this is a great opportunity. Councilman Pignatelli read aloud the Bergen County Household Hazardous Waste Collections, which are found on the Borough website and Borough social media channels. Councilman Pignatelli reported that the Borough Shredding Day will be on May 14, 2022 from 9 a.m. – 1 p.m., or until the truck is full at the Oakland Borough Hall. Councilman Pignatelli thanked the Oakland First Aid Squad and Matthew Goodrich for providing CPR training for Borough employees. Should any group be interested in providing such training, residents are encouraged to contact the Oakland First Aid Squad for more information. Councilman Pignatelli added that he was informed by the Chairman of the Flood Commission that he is not welcome at Commission Meetings as Council Liaison and hereby resigned as Liaison effective immediately. Councilman Grant Van Eck agreed to serve as the Liaison to the Flood Commission for the remainder of the year.

Councilman Slasinski: Councilman Slasinski reported that the Sanitary Sewer Relining Project has been complete and a Preconstruction Meeting has been scheduled for the Iroquois Pump Station upgrade project. Councilman Slasinski reported that the carpet has been replaced in the Library Children's Room for the first time in 20 years.

Councilman Saliani: Councilman Saliani commended Councilman Pignatelli for his professionalism in regards to the Flood Commission. Councilman Saliani reported that the DPW has filled 262 potholes in the 2021-2022 winter season. Councilman Saliani added that the Shade Tree Commission Adopt a Tree Program has been a success so far and should any family be interested, contact shadetree@oakland-nj.org.

OPENED FOR PUBLIC COMMENT:

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

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

Kevin Heffernan of 40 Grove Street commented that civic pride is lacking in Downtown Oakland and that the Borough should promote their efforts more for the general public.

CLOSED FOR PUBLIC COMMENT:

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

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

BILLS TO BE PAID:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, 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 Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the meeting be adjourned at 8:52 p.m.

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

Michael Carelli

Michael Carelli, Deputy Borough Clerk
March 9, 2022

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager