

BOROUGH OF OAKLAND
Borough Council Meeting
MEETING MINUTES

Municipal Court/Council Chambers
10 Lawlor Drive
Oakland, N.J. 07436

July 19, 2023 – 7:00 p.m.

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Pignatelli, seconded by Councilman Saliani, 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 Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, as follows:

1. The public shall be excluded from discussion of action upon the herein after specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Affordable Housing Ordinances
 - b. Hoppers Pond
 - c. Personnel
3. The Mayor and Borough 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: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.

Meeting of the Borough of Oakland Mayor and Borough Council opened on the above date at 7:00 p.m. in the Oakland Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. 07436.

Mayor Linda H. Schwager presiding.

Mayor Linda H. Schwager announced that proper notice of this meeting was made as to time, date, place, and agenda.

ROLL CALL: Present: Mayor Linda H. Schwager, Councilmembers Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.

Also Present: Borough Administrator Richard Kunze, Deputy Borough Clerk Wendi Seelin, Borough Attorney Matthew Gilson,

Absent: None.

SALUTE TO THE FLAG AND MOMENT OF SILENCE:

MAYOR'S REPORT:

Mayor Schwager stated that tonight the Governing Body will be introducing a Capital Ordinance to appropriate money for the Patriot's Way Bridge. The Borough received 3 million from the State Department of Transportation, 1.64 million that Senator Schepisi was able to secure for us, we already had a million plus. I received a call this week from Congressman Pascrell's office they are working on another million for us. I received a call from the Department of Transportation chairperson that next year we can put in for the funding for the balance of the bridge. Tonight, we are introducing the Ordinance, next meeting it will be voted on for adoption, then we can go out for bid and move forward. I do not have any information yet about the raising of tonnage, I'm told by the engineer we should know approximately tomorrow. Engineer John Yakimik stated the person is on vacation this week and will let the mayor know when he has the information. Mayor Schwager stated the roads are a mess, she will not deny it, it's a disaster, PSE&G Piping, Sewer lines, and the county is installing handicap ramps. Ramps should be finished this week, and I have been told by the county that 202 will be repaved in August from Franklin Ave up to the ShopRite. Mayor Schwager will keep residents posted on the scheduling of the Route 202 repaving. Mayor Schwager stated that tomorrow you will see county workers at Bush Plaza Park. Mr. Yakimik stated they will be moving some catch basins, laying out the curb and handicap ramp at that location.

ENGINEER'S REPORT:

Borough Engineer Mr. John Yakimik stated there is a pre-construction meeting this Friday for the Oakland Road Program, which is 1.35 million for about three miles of roads that are going to be paved as part of the program. Mr. Yakimik will have a better idea on Friday of the contractor's schedule. The Borough is pushing them to start in August when schools are not in session and as quickly as possible. PSE&G is scheduled to come back in October to finish the second phase of all the roads that they have opened over the winter this year, of particular concern is Hiawatha Boulevard,

he will be pushing PSE&G on the paving of that road. The construction of the force main under the railroad, was checked late today, and was successful. Looking at one more day of operations there and by Friday, the work should be done. Mr. Yakimik added that it was good news as it was difficult construction to get that sewer line under the railroad. Mayor Schwager stated she told the county that it needs to be done before school starts. Councilman Pignatelli stated there's a new look at that intersection, there is a manhole, something we don't see much of in Oakland.

OPEN PUBLIC COMMENT:

Councilman Saliani set forth the motion, seconded by Councilman Pignatelli, to open for public comment.

ALL IN FAVOR.

Michele Younes of 2 Rock Ledge, Oakland, N.J. 07436, thank you for the update and the great news we got grant money. Asked for clarification on the funding for Patriot's Way Bridge. Asked what the difference is between bond money and grant money. Mr. Kunze responded with an explanation of the differences.

Councilman Pignatelli set forth the motion, seconded by Councilman Kulmala, to close public comment.

ALL IN FAVOR.

APPROVAL OF MINUTES:

June 28, 2023

Councilman Pignatelli set forth the motion, seconded by Councilman Saliani, to approve the above listed minutes.

ROLL CALL: **Ayes:** **McCann, Pignatelli, Saliani, Slasinski, Talamini.**
 Nays: **None.**
 Abstain: **Kulmala.**
 (5 ayes – 0 nays –motion carried)

June 28, 2023 Executive Session

Councilman Saliani set forth the motion, seconded by Councilman Slasinski, to approve the above listed minutes.

ROLL CALL: **Ayes:** **McCann, Pignatelli, Saliani, Slasinski, Talamini.**
 Nays: **None.**
 Abstain: **Kulmala.**
 (5 ayes – 0 nays –motion carried)

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:

- **Appointment to Zoning Board of Adjustment**

On motion of Councilman Kulmala, seconded by Councilman Saliani, Prakash Kolluri be appointed as an Alternate II for an unexpired term two (2) year term, with a term expiration date of December 31, 2023.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

- **Authorize Raffle License #RL1457 to Sports Association of Oakland for Off-Premises Raffle for Merchandise on August 25, 2023 at 24 Lawlor Drive, Oakland, N.J. 07436**

Councilman Pignatelli set forth the motion, seconded by Councilman Talamini, to approve Raffle License #RL1455.

ALL IN FAVOR

- **Request for Temporary Sign at Bush Plaza by Franklin Lakes/Oakland Rotary Club**

Councilman Saliani set forth the motion, seconded by Councilman Talamini, to approve Temporary Sign.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

- **Presentation on Downtown Architectural Standards from Kevin Heffernan**

Mr. Kevin Heffernan, 40 Grove Street, Oakland, NJ 07436 presented a PowerPoint of architectural standards to the Mayor and Council to review and consider for the Downtown area. Presentation available at Borough Hall.

RESOLUTIONS – CONSENT AGENDA:

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

23-224 APPOINT SUSTAINABLE OAKLAND GREEN TEAM SECRETARY

WHEREAS, the Sustainable Oakland Green Team is in need to hire a Secretary as a result of the creation of a new position;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby appoints Laura Saunders as the Secretary to the Sustainable Oakland Green Team at an annual stipend of \$1,200.00 effective Monday July 24, 2023.

**23-225 AUTHORIZE CONSERVATION AGREEMENT WITH THE LAND
CONSERVANCY OF NEW JERSEY**

WHEREAS, the Borough of Oakland has established a flood buy-out plan, guided by Oakland's Flood Acquisition Plan, and empowers the Borough to take such steps as it deems necessary and appropriate to acquire and preserve land identified in the Plan as flood buy-outs which will become conservation or recreation land; and

WHEREAS, the Borough seeks assistance from other public entities and non-profit organizations in order to acquire flooded homes for such conservation and recreation purposes; and

WHEREAS, the Land Conservancy of New Jersey, a non-profit corporation of the State of New Jersey, has been awarded funding by the New Jersey Green Acres Program for the purpose of preserving parcels of land deemed necessary for recreation, flood storage, conservation, and active recreation; and

WHEREAS, the Borough has entered into a Contract for Sale of Real Estate with two homeowners to purchase homes located on Lenape Lane known as Block 1404, Lot 9 and Block 1606, Lot 40 which fit the requirements of Oakland's Flood Acquisition Plan and once acquired will provide space for flood storage and recreation, thus removing the homes from the floodway and enhancing public safety; and

WHEREAS, The Land Conservancy of New Jersey has been involved with the project from its inception and subject to Green Acres funding, will contribute up to 25 percent of the acquisition costs towards these two acquisitions; and

WHEREAS, the Borough of Oakland and The Land Conservancy of New Jersey has determined that it is in the best interest of the Borough and the Conservancy to enter into a Conservation Agreement in order to set forth the responsibilities of each party and to authorize the execution of the Conservation Agreement.

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

1. The Mayor and Borough Clerk are authorized to execute the Conservation Agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to The Land Conservancy of New Jersey and Brian M. Chewcaskie, Counsel.

23-226

**RESOLUTION AUTHORIZING ONE-TIME WAIVER TO ALLOW
ALCOHOLIC BEVERAGES AT THE OAKLAND SENIOR CENTER IN
CONNECTION WITH AN EVENT**

WHEREAS, Borough Code 3-6.2 states that no person shall, except as hereinafter provided or as otherwise permitted by law, consume any alcoholic beverage or regulated cannabis item in any public park or recreation area of the Borough, public building, public conveyance, right-of-way, alley, sidewalk, roadway or parking lot open to the public in the Borough or on any vacant lands owned by the Borough; and

WHEREAS, the Mayor and Borough Council wish to authorize a one-time waiver to allow alcoholic beverages for consumption on the premises of the Borough of Oakland Senior Center, 20 Lawlor Drive, Oakland, N.J. 07436 on August 22, 2023, in connection with an event hosted by the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize a one-time waiver to allow alcoholic beverages for consumption on the premises of the Borough of Oakland Senior Center, 20 Lawlor Drive, Oakland, N.J. 07436 on August 22, 2023, in connection with an event hosted by the Borough of Oakland.

23-227

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR
ENGINEERING SERVICES FOR 2023 ROAD RESURFACING
PROGRAM**

WHEREAS, there is a need for Engineering Services for the 2023 Road Resurfacing Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated June 28, 2023 for services required at a total cost not to exceed cost of \$105,000.00, broken down as follows:

TASK #1 – Construction Inspection Services: \$105,000.00

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-04-56-885-701 in the amount of \$105,000.00; and

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 Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize Boswell Engineering to perform the engineering services for the 2023 Road Resurfacing Project at a cost not to exceed \$105,000.00; and

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

23-228

AUTHORIZE REFUND OF WATER PAYMENTS

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of water payments in the total amount of \$2045.03; and

WHEREAS, N.J.S.A. 40A:5-17 requires Governing Body approval for said refund; and

WHEREAS, the Chief Financial Officer has verified that the amount is due and that funds are available in account Misc. Revenue Refund WOP-05-55-999-014;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$2045.03. to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK & LOT</u>	<u>AMOUNT</u>
Krista Teresak	30 Wild Duck Road, Wyckoff, NJ 07481	402-30	\$852.76
Karl Kaplan	PO Box 280 Oakland, NJ 07436/100 Bauer Dr.	3204-2	\$1192.27

**23-229 RESOLUTION ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN
FOR THE BOROUGH OF OAKLAND**

WHEREAS, in accordance with the Mount Laurel Doctrine every municipality has a constitution obligation to create a realistic opportunity for producing a fair share of the regional present and prospective need for housing low and moderate income families; and

WHEREAS, the New Jersey Supreme Court issued a Decision and Order on March 10, 2015, In Re Adoption of N.J.A.C. 5:96 & 5:97 by the Council on Affordable Housing, 221 N.J. 1 (2015) (known as Mount Laurel IV), wherein the Court held that because COAH failed to adopt amended Third Round Rules, constitutional compliance cannot be evaluated under COAH's jurisdiction which thereby rendered the FHA's exhaustion of administration remedies futile; and

WHEREAS, the New Jersey Supreme Court in Mount Laurel IV ordered that the Courts may resume their role as the forum of first instance for evaluation compliance with Mount Laurel obligations; and

WHEREAS, in accordance with Mount Laurel IV, the Borough of Oakland filed a Declaratory Judgement Action with the Court on May 3, 2016 under Docket No. BER-L-6359-19; and

WHEREAS, this matter is being case managed by the Hon. Christie Farrington, J.S.C., with a Fairness Hearing scheduled for TBD, 2023

WHEREAS, Oakland has a period of temporary immunity through the completion of the final hearing; and

WHEREAS, pursuant to Court order Oakland was required to submit a Housing Element and Fair Share Plan (HEFSP) to the Court in advance of the final hearing; and

WHEREAS, Oakland retained Burgis Associates, Inc. to prepare a HEFSP; and

WHEREAS, Burgis Associates, Inc. has prepared a HEFSP dated December 21, 2022 which has been reviewed by the Oakland Planning Board who has memorialized through resolution that the HEFSP is consistent with the goals and objectives of Oakland's Master Plan; and

WHEREAS, a copy of the HEFSP has also been submitted to the Special Master; and

WHEREAS, the Oakland Planning Board has adopted the HEFSP as an amendment to the Borough of Oakland Master Plan in accordance with Municipal Land Use Law; and

WHEREAS, the governing body has reviewed the HEFSP and in accordance with the adoption of the HEFSP by the Oakland Planning Board, the governing body endorses the HEFSP

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby endorses the HEFSP prepared by Burgis Associates, Inc. dated December 21, 2022.

23-230 AUTHORIZE REFUND OF RECREATION FEES

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of recreation fees in the total amount of \$1771.00; and

WHEREAS, N.J.S.A. 40A:5-17 requires Governing Body approval for said refund; and

WHEREAS, the Chief Financial Officer has verified that the amount is due and that funds are available in account Misc. Revenue Refund CF-01-55-998-006;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$1771.00 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>SPORT TYPE</u>	<u>AMOUNT</u>
O'Hara Family	989 Arapaho Trail, Oakland, NJ 07436	Football	\$125.00
Mazzella Family	13 Harvard Way, Oakland, NJ 07436	Summer Camp	\$413.00
Fernandez Family	117 Yawpo Ave, Oakland, NJ 07436	Summer Camp	\$393.00
Colangelo Family	565 Overlook Drive, Wyckoff, NJ 07481	Football	\$125.00

Molinas-Collins Family	12 Meadowlark Drive, Carmel Hamlet, NY 10512	Summer Camp	\$600.00
Walters Family	176 Hiawatha Blvd, Oakland, NJ 07436	Baseball	\$115.00

**23-231 AWARD CONTRACT TO NATURAL GREEN LAWN CARE FOR
RECREATION COMPLEX FIELD #5 AND #9 REFURBISHMENT
PROJECT**

WHEREAS, there is a need to replace the infield and outfield grass at Field #5 and #9 at the Oakland Recreation Complex; and

WHEREAS, JCW, Inc. dba/Natural Green Lawn Care, 795 East Main Street, Bridgewater, N.J. 08807, has the Educational Services Commission of New Jersey Co-op Pricing Bid #ESCNJ20/21-49 for Lawn Care Products and Services; and

WHEREAS, JCW, Inc. dba/Natural Green Lawn Care has submitted Proposal #ESCNJ20/21-49 dated July 7, 2023 for the services required in the amount of \$59,800.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # G-02-23-792-001 in the amount of \$59,800.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby award the contract for the Recreation Field #5 and #9 Renovation Project to JCW, Inc. dba/Natural Green Lawn Care in the amount of \$59,800.00;

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

23-232 APPOINT TEMPORARY FIRE SUB CODE OFFICIAL

WHEREAS, there presently exists a vacancy in the position of Temporary Fire Sub Code Official; and

WHEREAS, Brian Comitto, meets the qualifications for the title and holds the requisite Fire Sub Code License; and

WHEREAS, N.J.A.C. 4A:4-1.7 allows for the Temporary appointment of officials;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Brian Comitto be appointed as the Temporary Fire Sub Code Official at a rate of \$50.00 per hour, effective July 20, 2023.

23-233 APPOINT PART TIME FIRE INSPECTOR

WHEREAS, there is a need to hire a part-time Fire Inspector for the Code Enforcement Department;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that Edward Lawler be hired as part-time Fire Inspector at an hourly rate of \$25 per hour effective July 24, 2023.

23-234 AWARD CONTRACT FOR CRS SERVICES

WHEREAS, there is a need for services related to the Federal Emergency Management Agency's Community Rating System (CRS) Program and related to the National Flood Insurance Program (NFIP) compliance issues which impact CRS ratings and the ability to maintain and improve discounts under the CRS Program; and

WHEREAS, EcoAdapt Strategies, LLC. has submitted a proposal dated April 3, 2023 for services required at a total cost not to exceed \$9,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #3-01-20-165-100 in the amount of \$9,000.00; and

WHEREAS, EcoAdapt Strategies, LLC. 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 Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize EcoAdapt Strategies, LLC. to perform the services related to the Federal Emergency Management Agency's Community Rating System (CRS) Program and related to the National Flood Insurance Program (NFIP) compliance issues which impact CRS ratings and the ability to maintain and improve discounts under the CRS Program at a cost not to exceed \$9,000.00.00; and

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

23-235 AUTHORIZE RELEASE OF ESCROW FUNDS

WHEREAS, Tode Landscape, 53 Spruce Street, Oakland, N.J. 07436 has requested that any Professional Review Escrow funds be returned for their application to the Oakland Board of Adjustment; and

WHEREAS, the Chief Financial Officer has determined the amount of \$2,487.18 remains in Escrow Account #T-26-00-019-426;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the Chief Financial Officer is hereby

directed to return the balance of Professional Review Escrow funds in the amount of \$2,487.18 to Tode Landscape, 53 Spruce Street, Oakland, N.J. 07436.

23-236

AUTHORIZE RELEASE OF ESCROW FUNDS

WHEREAS, IE Holdings, LLC, 5669 Berkshire Valley Rd. Suite 7, Oak Ridge, N.J. 07438 has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of \$14,868.00 remains in Escrow Account #T-13-56-286-007;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$14,868.00 to IE Holdings, LLC, 5669 Berkshire Valley Rd. Suite 7, Oak Ridge, N.J. 07438

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)

ORDINANCES:

ORDINANCE 23-CODE-910

“AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO PERMIT DOG PARK RENTALS”

The Borough Clerk was directed to take from the table Ordinance No. 23-CODE-910 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-910 entitled, **“AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO PERMIT DOG PARK RENTALS”**

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

ALL IN FAVOR.

OPENED FOR PUBLIC COMMENT:

No Public comments

On motion of Councilman Pignatelli, seconded by Councilman Saliani, this portion of the meeting be closed for public comment

On motion of Councilman Pignatelli, seconded by Councilman Saliani, Ordinance 23-CAPITAL-909, entitled "AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO PERMIT DOG PARK RENTALS", be adopted.

ROLL CALL: **Ayes:** Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)

ORDINANCE 23-CODE-911

**"AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO CODIFY
RESOLUTION 22-257 REGARDING THE BANNER SPONSORSHIP PROGRAM"**

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-911 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-911 entitled, "AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO CODIFY RESOLUTION 22-257 REGARDING THE BANNER SPONSORSHIP PROGRAM"

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

ALL IN FAVOR

OPENED FOR PUBLIC COMMENT:

NO PUBLIC COMMENTS

On motion of Councilman Pignatelli, seconded by Councilman Saliani, this portion of the meeting be closed for public comment

ALL IN FAVOR

On motion of Councilman Pignatelli, seconded by Councilman Talamini, Ordinance 23-CODE-911, entitled "AN ORDINANCE SUPPLEMENTING CHAPTER 9 OF THE OAKLAND CODE TO CODIFY RESOLUTION 22-257 REGARDING THE BANNER SPONSORSHIP PROGRAM", be adopted.

ROLL CALL: **Ayes:** Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)

ORDINANCE 23-CODE-912

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-3-AH ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-912 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-912 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-3-AH ZONE"**

On motion of Councilman Talamini, seconded by Councilman Pignatelli, **AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-3-AH ZONE**, be withdrawn.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE 23-CODE-913

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-4-AH ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-913 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-913 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-4-AH ZONE"**

On motion of Councilman Talamini, seconded by Councilman Pignatelli, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO RA-4-AH ZONE"**, be withdrawn.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE 23-CODE-914

“AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, “LAND USE AND ZONING” RELATED TO RA-5-AH ZONE”

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-914 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-914 entitled, “AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, “LAND USE AND ZONING” RELATED TO RA-5-AH ZONE”

On motion of Councilman Talamini, seconded by Councilman Pignatelli, Ordinance No. 23-CODE-914 entitled, “AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, “LAND USE AND ZONING” RELATED TO RA-5-AH ZONE” be withdrawn,

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE 23-CODE-915

“AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, “LAND USE AND ZONING” RELATED TO SAHD ZONE”

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-915 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-915 entitled, “AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, “LAND USE AND ZONING” RELATED TO SAHD ZONE”

On motion of Councilman Talamini, seconded by Councilman Pignatelli, Ordinance No. 23-CODE-915 entitled, “AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE

BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO SAHD ZONE" be withdrawn.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)**

ORDINANCE 23-CODE-916

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO MU-AH ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-916 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-916 entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO MU-AH ZONE"

On motion of Councilman Talamini, seconded by Councilman Pignatelli, "AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO MU-AH ZONE" be withdrawn.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)**

ORDINANCE 23-CODE-917

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-1 ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-917 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-917 entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-1 ZONE"

On motion of Councilman Talamini, seconded by Councilman Pignatelli, Ordinance No. 23-CODE-917 entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE

BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-1 ZONE" be withdrawn.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)**

ORDINANCE 23-CODE-918

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-2 ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-918 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 23-CODE-918 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-2 ZONE"**

On motion of Councilman Talamini, seconded by Councilman Pignatelli, Ordinance No. 23-CODE-918 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO DT-2 ZONE"** be withdrawn.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)**

ORDINANCE 23-CODE-919

"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO CBD-II AHO ZONE"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-919 and read by title for its final hearing.

On motion of Councilman Talamini, seconded by Councilman Pignatelli, Ordinance No. 23-CODE-919 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED, "LAND USE AND ZONING" RELATED TO CBD-II AHO ZONE"** be withdrawn.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

Borough Attorney Matt Gilson explained that these ordinances were introduced and sent to the special master for review. The special master requested revisions to the ordinances. Ordinance # 912-919 were voted to be withdrawn and new Ordinances #923-927 were introduced and will be adopted after public hearing on August 17, 2023.

ORDINANCE 23-CODE-920

“AN ORDINANCE AUTHORIZING BINDING MUNICIPAL REFERENDUM ON RE-CONTINUATION OF AN ANNUAL LEVY FOR OPEN SPACE TRUST FUND”

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-920 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-920 entitled, **“AN ORDINANCE AUTHORIZING BINDING MUNICIPAL REFERENDUM ON RE-CONTINUATION OF AN ANNUAL LEVY FOR OPEN SPACE TRUST FUND”**

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

BE IT RESOLVED, that an Ordinance entitled, **“AN ORDINANCE AUTHORIZING BINDING MUNICIPAL REFERENDUM ON RE-CONTINUATION OF AN ANNUAL LEVY FOR OPEN SPACE TRUST FUND”**, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE 23-CAPITAL-921

"CAPITAL ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$4,640,000 FOR THE REPLACEMENT OF THE PATRIOT'S WAY BRIDGE IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO BE RAISED FROM A GRANT INCLUDED IN THE 2024 STATE BUDGET IN THE AMOUNT OF - \$1,640,000 AND FROM A DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF - \$3,000,000"

The Borough Clerk was directed to take from table Ordinance No. 23-CAPITAL-921 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CAPITAL-921 entitled, **"CAPITAL ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$4,640,000 FOR THE REPLACEMENT OF THE PATRIOT'S WAY BRIDGE IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO BE RAISED FROM A GRANT INCLUDED IN THE 2024 STATE BUDGET IN THE AMOUNT OF - \$1,640,000 AND FROM A DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF - \$3,000,000"**

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

BE IT RESOLVED, that an Ordinance entitled, "CAPITAL ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$4,640,000 FOR THE REPLACEMENT OF THE PATRIOT'S WAY BRIDGE IN, BY AND FOR THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO BE RAISED FROM A GRANT INCLUDED IN THE 2024 STATE BUDGET IN THE AMOUNT OF - \$1,640,000 AND FROM A DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF - \$3,000,000", be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays – motion carried)**

ORDINANCE 23-CODE-922

**“AN ORDINANCE SUPPLEMENTING CHAPTER 2 OF THE OAKLAND CODE
RELATED THE RECENT CREATION OF CLASS III SLEO”**

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-922 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-922 entitled, **“AN ORDINANCE SUPPLEMENTING CHAPTER 2 OF THE OAKLAND CODE RELATED THE RECENT CREATION OF CLASS III SLEO”**

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

BE IT RESOLVED, that an Ordinance entitled, “AN ORDINANCE SUPPLEMENTING CHAPTER 2 OF THE OAKLAND CODE RELATED THE RECENT CREATION OF CLASS III SLEO”, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

**ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)**

ORDINANCE 23-CODE-923

“AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED “LAND USE AND ZONING”

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-923 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-923 entitled, **“AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED “LAND USE AND ZONING”**

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

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING", be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE NO. 23-CODE-924

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-924 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-924 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"**

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

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING", be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: **Ayes:** Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)

ORDINANCE NO. 23-CODE-925

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED “LAND USE AND ZONING”

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-925 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-925 entitled, **“AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED “LAND USE AND ZONING”**

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

BE IT RESOLVED, that an Ordinance entitled, “AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED “LAND USE AND ZONING”, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: **Ayes:** Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: None.
 (6 ayes – 0 nays –motion carried)

ORDINANCE NO. 23-CODE-926

"AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-926 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-926 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"**

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

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING", be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.
Nays: None.
Abstain: None.
(6 ayes – 0 nays –motion carried)

ORDINANCE NO. 23-CODE-927

"AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-927 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-927 entitled, **"AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING"**

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

BE IT RESOLVED, that an Ordinance entitled, "AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59, ENTITLED "LAND USE AND ZONING", be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 16, 2023 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

That said Ordinance be published in full in The Record on or before together with notice of this introduction and of the time and place for further consideration for final passage, and that the Borough Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

WORK SESSION:

RIVER ROAD BENCH DONATION:

Mr. Kunze reported that he received an email from Ms. Colleen Pope requesting consideration and approval of a Bench Donation in memory of Cal Learsch, a longtime resident and business owner in Oakland. They would like to place the bench on Oak Street near the Recreation field lot on the river side. Councilman Pignatelli suggested having a uniform process and look for the bench. Mr. Kunze will work on a plan for accepting the donation.

HR 3557 AMERICAN BROADBAND DEPLOYMENT ACT:

The Jersey Access Group brought this proposed legislation to our attention through the OCC. As explained in the supporting documents, it would greatly hinder the ability of municipalities to regulate use of the Right-of-Way and potentially eliminate cable franchises and franchise fees. Our franchise fee revenue is currently \$170,000 per year. Councilman Kulmala asked what the League of Municipalities thinks. Mayor Schwager stated she has not heard anything. Mayor Schwager will follow up with the league and report back any information received.

A-4376 CONCERNING WIRELESS COMMUNICATIONS EQUIPMENT:

Likewise, A-4376 is a state-level bill that would also reduce a town's ability to manage their own ROW, specifically as it pertains to wireless facilities. We already have a comprehensive set of regulations concerning 5G facilities that were crafted to comply with existing FCC rulings and adopted in 2021. Additional information, including the state legislation, is included in the packet. Mayor Schwager stated she would check with the League of Municipalities for their thoughts on A-4376. All agreed to prepare a resolution for next meeting.

S3807 CONCERNING AMMENDMENTS TO LOCAL BOND LAW:

This legislation, which is supported by the NJLM, would amend the Local Bond law to increase the 'useful life' of fire apparatus from 10 years to 20 years and would remove the prohibition on financing passenger cars. Although we endeavor to avoid bonding for vehicles, this change is long overdue and would provide towns with additional funding options to replace old equipment. Council approved moving forward with resolution for August Meeting.

PROPOSAL FOR ENGINEERING SERVICES FOR 2023 RAMAPO VALLEY ROAD ADA CURB CUTS AND RAMPS PROJECT:

PROPOSAL FOR ENGINEERING SERVICES FOR 2024 FRANKLIN AVENUE ADA CURB CUTS AND RAMSP PROJECT:

In preparation of repaving Rt. 202 this year and Franklin Ave. in 2024 or 2025, the County must upgrade ADA ramps along the project route to make sure they are all in conformance with federal standards. However, since the County only claims responsibility to maintain their actual roadway from 'curb to curb', they have entered into shared service agreements with municipalities to facilitate the engineering portion of the work. Under the agreement, the Borough's engineering costs will be reimbursed up to the limits set forth in the agreement.

Boswell Engineering has been working with the County on this project and recently provided their proposal for services, which covers design and inspection on 57 ramps along Ramapo Valley Road and four ramps on Franklin Ave. The cost is \$34,450 for Rt. 202 and \$7,500 for Franklin Ave.

Mr. Yakimik will oversee and certify that the ramps will be designed according to ADA standards. Inspectors have to go out there with a smart level and watch the contractor very carefully to make sure that the form work is set properly and then certify to the county that all 57 ramps are installed according to federal standards to pave the street. There is a formula for design, they will be reimbursed 10% of the cost of construction. It is not 100% reimbursable.

NEW BUSINESS:

Mayor Schwager stated that she is upset that Mr. Heffernan left. The Governing Body allowed him 10 minutes, then added 5 more for 15 minutes. She was hoping he would stay and share his ideas. Mayor Schwager stated that they have revived the Streetscapes Subcommittee of the Planning Board. The Mayor is asking the Council to take back streetscapes from the subcommittee at the planning board and move forward with beautification. Councilman Pignatelli asked if the Planning Board has seen the presentation from Mr. Heffernan. Mayor stated yes, 2-3 times. Councilman Talamini stated he remembers we were denied a grant and that's when the last time the streetscapes was discussed. Councilman McCann asked if there has been discussion regarding declaring the downtown as an area in need of redevelopment. This would allow the town to have some control. Councilman McCann stated that the first part is for it to be decided if the downtown is a redevelopment area. Councilman Kulmala stated that the streetscape plan was brought to this governing body 2 years ago or longer, we acted, made suggestions, and it was sent back to the

planning board. Then COVID started, and meetings stopped, and it died there. The Mayor and I have been having subcommittee meetings and we are now pushing to get the streetscape brought to us as early as next meeting so we can take some action on it. The Mayor, Borough Administrator, myself, and the Borough Planner Carolyn Reiter met. Ms. Reiter was creating a presentation explaining what goes into rehabilitation and/or redevelopment as a solution for the downtown. Councilman Kulmala stated the Borough Planners report is ready, and Councilman Kulmala suggested we add it as a presentation for the next meeting, and that we should also expect something from the planning board for the next meeting as well with the changes requested.

Mayor Schwager met with Girl Scout Troop 97346, Danielle Rowin is the leader and, they are working on their girls scouts bronze project. The girls have completed part one, decorating their kindness rocks which have been placed around the walking path at the recreation field. Part two of the project was painting Fairy doors, fairy treasures behind doors for children. Part three is book libraries, they would like to build two book libraries as part of their bronze project and place them by each playground at the recreation field, they would like to start in mid-August after rec camp is over. They are asking if they install on their own or if they would work with the Borough. Recreation Commissioner Mike Guadagnino stated he was supportive of the installation and that they should reach out to him for placement. Borough Administrator Mr. Kunze will reach out to Building and Grounds Supervisor and let them know to expect to work with the troop.

Councilman Pignatelli stated that The State of New Jersey proposed legislation and approved a program called Senior Stay or Stay Senior. It's to help senior citizens stay in the State of NJ. Most senior citizens do not have an additional way to make money to pay and keep up with the taxes. Mayor Schwager asked if the Council if they would like to present a Resolution at the next meeting. All were in favor. Borough Attorney Matthew Gilson was asked to create a resolution to be presented.

OLD BUSINESS:

No old business reported.

COUNCIL COMMITTEE AND LIAISON REPORTS:

Councilman Talamini: Councilman Talamini stated that he is excited that we are moving forward with the Patriot's Way Bridge. It's been a long time coming, it should be expected that once the bridge closes traffic will be difficult for a period. Thank you, Boswell Engineering, for all they did in helping secure the money. The Public Events Committee is always looking for new members and thank you to those that are already serving and providing great events. Mayor asked that Councilman Talamini who is our School Board representative to advise the boards that there is a planning board meeting on August 10 and Hovnanian will be before us.

Councilman Kulmala: Last weekend the Green Team had a Styrofoam collection and filled two roll offs. The Arts Committee came up with a good idea for the fencing around the Van Allen House. they want to put historical pictures on the fencing around the foundation there. They will bring it to the Council for approval and submit photos. The planning board had a meeting last week. The main

topic was the property of the old Burger King on 202. The developer has asked a for one year extension. The planning board came down hard on the condition of the property, and he was very compliant. The Planning Board told them we want it landscaped; graffiti taken down. Code enforcement is aware and involved.

Councilman Pignatelli: Councilman Pignatelli stated the statistic report for the Oakland Police Department. Congratulations, the Borough received a \$10,000 grant to encourage and incentivize borough employees to participate in activities and keep good health.

Councilman McCann: Councilman McCann stated that he wanted to thank Senator Holly Schepisi for the roll she played in helping the Borough with grants for the Patriot's Way Bridge.

Councilman Slasinski: Councilman Slasinski reported that the Communications Commission Television Committee is seeking donations towards installing cameras in the senior center. If you would like to donate, contact the OCC chairman Ryan Schwertfeger. The TV group has asked me to announce that the candidate's forum is coming up and anyone running for an office for the BOE, Council, or Mayor, are welcome to participate in the Candidates Forum. The deadline to sign up is August 1, 2023. Rules and regulations are on the website. The next OCC meeting is September 6, 7:30 in Council Chambers. The library reports they have over fifty events going on this month for all ages. Registration is still open for the OPL players and drama club.

Councilman Salianni: Councilman Salianni reported that the Shade Tree Commission spring planting was postponed due to the dry season and will take place in the fall. They are looking for members and a leader for the Spotted Lantern Fly efforts. Thank you to all involved for the efforts on the Bridge.

OPEN PUBLIC COMMENT:

Councilman Pignatelli set forth the motion, seconded by Councilman Kulmala, to open for public comment.

ALL IN FAVOR.

Mike Guadagnino 34 Hopper Street Oakland, NJ 07436, stated that Mr. Heffernan spent a lot of time and effort on his presentation, this is the peoples chamber, and he should have been given more time to finish.

Councilman Pignatelli set forth the motion, seconded by Councilman Kulmala, the public comment session be closed.

ALL IN FAVOR.

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: **Ayes:** **Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.**
 Nays: **None.**
 Abstain: **None.**
 (6 ayes – 0 nays – motion carried)

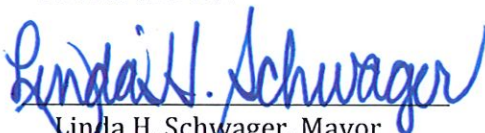
ADJOURNMENT:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the meeting be adjourned.

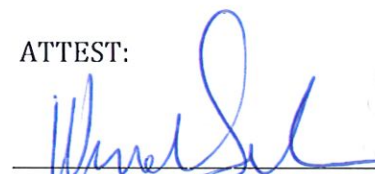
ALL IN FAVOR.

Adjourned: 8:45 p.m.

APPROVED BY:


Linda H. Schwager, Mayor

ATTEST:


Wendi Seelin, Deputy Borough Clerk

