

BOROUGH OF OAKLAND
Borough Council Meeting
MEETING MINUTES

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

July 20, 2022 – 7:00 p.m.

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Kulmala, 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, County of Bergen, 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. Personnel;
 - b. Potential Litigation;
 - c. Affordable Housing.
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.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Saliani, the Executive Session be adjourned.

ROLL CALL: Kulmala, McCann, Pignatelli, Saliani, Talamini.

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

Mayor Linda H. Schwager presiding.

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

MOTION TO EXCUSE:

On motion of Councilman Pignatelli, seconded by Councilman Saliani, Councilman Slasinski be excused from the meeting.

ALL IN FAVOR.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

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

MAYORS REPORT:

Mayor Schwager congratulated Oakland resident Edward Clark for his recognition as Congressman Josh Gottheimer's Hometown Hero Award. There will be a formal ceremony on Friday July 22, 2022. Mayor Schwager also congratulated Deborah Guston, Esq. for her recognition and award by the New Jersey State Bar Association. Mayor Schwager announced a revised COVID-19 testing center schedule, located at the Oakland Senior Center. The Bergen County Senior Citizens Festival will be held on September 28, 2022 at Van Saun County Park. Mayor Schwager announced that the Oakland Senior Center and Oakland Public Library are open as cooling centers for Oakland residents. It was reminded that fireworks are legal in New Jersey and residents should be sensitive of animals, especially dogs, in the community that are afraid of loud noises. Mayor Schwager reminded residents that Oakland water is safe to drink, and the sewer project has nothing to do with PFAS levels in water. Mayor Schwager asked the Borough Administrator to setup a public information session for the near future.

POLICE DEPARTMENT PROMOTIONS/HIRES:

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

22-210: APPOINT KARLEY GREULICH AS POLICE OFFICER

WHEREAS, the Mayor and Borough Council of the Borough of Oakland has determined the need to authorize the hiring of a Police Officer for the Oakland Police Department based on a vacancy and the current table of organization; and

WHEREAS, the Police Chief has recommended the appointment of Karley Greulich pending the completion of the necessary pre-employment testing and background checks;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Karley Greulich be and is hereby appointed as a Police Officer for the Borough of Oakland, which appointment is effective July 20, 2022 and being made in accordance with the New Jersey Department of Personnel Certification of Eligibles for Appointment List, and her salary shall be at Academy Step in the amount of \$41,296.00 and in accordance with the current PBA Collective Bargaining Agreement.

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

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

22-210: AUTHORIZE PROMOTION OF BRYAN ROWIN

WHEREAS, the Borough of Oakland has a vacant Sergeant's position due to a recent retirement; and

WHEREAS, Officer Bryan Rowin has qualified for promotion per the rules and regulations of the New Jersey Civil Service Commission; and

WHEREAS, the Borough Administrator, Public Safety Committee, and the Oakland Police Chief have recommended that Officer Bryan Rowin be promoted to fill the open Sergeant's position; and

WHEREAS, the Mayor and Borough Council believes it is in the best interest of the Oakland Police Department and community to promote Officer Bryan Rowin;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Officer Bryan Rowin be promoted to the rank of Sergeant, effective July 20, 2022; and

BE IT FURTHER RESOLVED, that Sergeant Bryan Rowin's compensation shall be \$138,034.00 pursuant to the PBA Collective Bargaining Agreement.

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

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

22-211: AUTHORIZE PROMOTION OF MARK PIERCY

WHEREAS, the Borough of Oakland has a vacant Lieutenant position due to a recent retirement; and

WHEREAS, Detective Mark Piercy has qualified for promotion per the rules and regulations of the New Jersey Civil Service Commission; and

WHEREAS, the Borough Administrator, Public Safety Committee, and the Oakland Police Chief have recommended that Detective Mark Piercy be promoted to fill the open Lieutenant position; and

WHEREAS, the Mayor and Borough Council believes it is in the best interest of the Oakland Police Department and community to promote Detective Mark Piercy;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Detective Mark Piercy be promoted to the rank of Lieutenant, effective July 20, 2022; and

BE IT FURTHER RESOLVED, that Lieutenant Mark Piercy's compensation shall be \$150,447.00 pursuant to the PBA Collective Bargaining Agreement.

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

Mayor Schwager administered the Oath of Office to newly appointed Police Officer Karley Greulich, Sergeant Bryan Rowin, and Lieutenant Mark Piercy.

APPROVAL OF MINUTES:

June 22, 2022

Councilman Pignatelli set forth the motion, seconded by Councilman Talamini, to approve the above listed minutes as read.

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

June 22, 2022 Executive Session

Councilman Pignatelli set forth the motion, seconded by Councilman Talamini, to approve the above listed minutes as read.

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

July 6, 2022

Councilman Pignatelli set forth the motion, seconded by Councilman Talamini, to approve the above listed minutes as read.

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

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:

BAG UP OAKLAND ART CONTEST:

Mayor Schwager presented certificates to the winners of the Bag up Oakland Art Contest:

- Rosemary Yang – Indian Hills High School;
- Camryn Morgan – Manito Elementary School;
- Benjamin Fixler – Heights Elementary School;
- Daisy Troop 98286 – Dogwood Hill Elementary School;
- Kendall Cox – Valley Middle School.

RECOGNITION OF RICHARD LEPRE:

Mayor Schwager presented a certificate to Oakland resident Richard Lepre and thanked him for his over 26 years of service to the Zoning Board of Adjustment, and 18 years as Chairman.

APPOINTMENT TO RECREATION COMMISSION:

Mayor Schwager appointed Michelle Sheydwasser to the Recreation Commission for a five (5) year unexpired term, with a term expiration date of December 31, 2024.

APPOINTMENT TO GREAT OAK PARK COMMITTEE:

Mayor Schwager appointed Amy Eilert to the Great Oak Park Ad-Hoc Committee for a one (1) year term, with a term expiration date of December 31, 2022.

APPOINTMENT TO PUBLIC EVENTS COMMITTEE:

On motion of Councilman Talamini, seconded by Councilman Saliani, Amy Eilert be appointed to the Public Events Committee for a three (3) year unexpired term, with a term expiration date of December 31, 2023.

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

REQUEST FOR EXTENDED HOURS AND SATURDAY WORK FROM PSE&G:

On motion of Councilman Saliani, seconded by Councilman Pignatelli, PSE&G be approved for extended hours and Saturday work, which will start at 9:00 a.m.

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

RESOLUTIONS – CONSENT AGENDA:

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

22-151: AUTHORIZE REFUND OF PERMIT FEE

WHEREAS, the Borough of Oakland has received a request for a refund of fees and permits in the amount of \$175.00; 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 CF 2-01-55-998-006;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, hereby authorize payment in the amount of \$175.00 to:

Anatoly and Zhanna Zaytsey	Block 5305
11 Raeben Avenue	Lot 7
Oakland, N.J. 07436	

22-189: 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 \$2,110.50; 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 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 amount of to:

Mirko Family	46 Chuckanutt Drive, Oakland, N.J. 07436	Basketball Camp	\$200.00
Masefield Family	122 Seminole Ave., Oakland, N.J. 07436	Summer Camp	\$260.00
Ruberto Family	221 Mabelann Ave., Franklin Lakes, N.J. 07417	Baseball Camp	\$115.00
Sendrowski Family	25 Franklin Avenue, Oakland, N.J. 07436	Little League Baseball	\$93.00
Parvis Family	12 Wellesley Drive, Oakland, N.J. 07436	Summer Camp	\$900.00
Carti Family	44 Tuscarora Drive, Oakland, N.J. 07436	Summer Camp	\$157.50
Herrick Family	5 Geronimo Way, Oakland, N.J. 07436	Summer Camp	\$260.00
DeBlock Family	12 Lakeshore Drive, Oakland, N.J. 07436	Baseball Camp	\$125.00

22-213: AUTHORIZE REFUND OF COMMUNITY GARDEN FEE

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of fees and permits in the amount of \$50.00; 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 CF2 -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 amount of \$50.00 to:

Ms. Sharon Burde
7 Commanche Trail
Oakland, N.J. 07436

Block 5604
Lot 5

22-214: CONFIRM APPOINTMENT OF DEPUTY BOROUGH REGISTRAR

WHEREAS, in accordance with the provisions of N.J.S.A. 26:8-17, the Registrar of Vital Statistics has appointed Michael E. Carelli as Deputy Borough Registrar;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby confirm the appointment of Michael E. Carelli as Deputy Borough Registrar of Vital Statistics; and

BE IT FURTHER RESOLVED, that Michael E. Carelli be compensated at an annual stipend of \$2,127.62 effective July 20, 2022.

22-215: AMEND RESOLUTION 21-238 APPOINTING MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE FOR FY 2022 / 2023

WHEREAS, the Borough of Oakland has entered into a three (3) year cooperative agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and

Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said agreement requires that the Borough Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2022 – 2023 term starting July 1, 2022 and ending on June 30, 2023; and

WHEREAS, the term expiration of former Councilman John P. Biale has left a vacancy in the position; and

WHEREAS, the Borough of Oakland wishes to amend Resolution 21-238 and appoint new membership to the Regional Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Oakland hereby appoint Eric Kulmala as its representative and John McCann as the alternate and that the Mayor hereby appoints Richard S. Kunze as her representative and Michael E. Carelli as the alternate to serve on the Community Development Regional Committee for FY 2022 – 2023.

22-216: RESOLUTION URGING LEGISLATURE TO AMEND BUDGET CAP LAW

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 ½ % or the cost of living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions, and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Oakland that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriations CAP and Levy CAP.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the New Jersey Legislature representative for the members of the Borough of Oakland.

22-217: AWARD BID FOR SOON'S FIELD PUMPING STATION GENERATOR REPLACEMENT PROJECT

WHEREAS, on July 8, 2022, the Borough of Oakland received three (3) bids for the Soon's Wellfield Emergency Generator Project; and

WHEREAS, Multi-Phase Electrical Services, Inc., 15 William Street, Closter, N.J. 07624, had the lowest responsive and responsible bid with a total bid price of \$193,000.00; and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and have recommended acceptance of the bid from Multi-Phase Electrical Services, Inc.; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-886-202 in the amount of \$120,000.00, and Account #2-05-55-512-000 in the amount of \$73,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the bid of Multi-Phase Electrical Services, Inc., in the total amount of \$193,000.00 be accepted; and

BE IT FURTHER RESOLVED, that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

22-218: AUTHORIZE SHARED SERVICES AGREEMENT WITH COUNTY OF BERGEN FOR PERIOD 2022 TO 2024 FOR SNOW PLOW/SALTING SERVICES

WHEREAS, as part of its snow plowing operations, the Borough of Oakland clears various County roads located within the Borough; and

WHEREAS, the Borough of Oakland is entitled to be reimbursed by the County of Bergen for such services;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and is hereby authorized and directed to execute an agreement by and between the County of Bergen and the Borough of Oakland, in the form annexed hereto and made a part hereof, with respect to the snow plowing operations by the Borough on County roads, including compensation therefor.

22-219: DEDICATION BY RIDER FOR ACCESS FOR ALL COMMITTEE DONATIONS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the

municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Borough of Oakland's Access For All Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements,

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 Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received for the Boroughs Access For All in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for Access For All projects.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

22-220: DEDICATION BY RIDER FOR SHADE TREE COMMISSION DONATIONS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Borough of Oakland's Shade Tree Forest Management Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements,

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 Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received for the Shade Tree Forest Management in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for Shade Tree Forest Management projects.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

22-221: DEDICATION BY RIDER FOR ARTS IN OAKLAND DONATIONS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Borough of Oakland's Arts Council Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements,

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 Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received for the Boroughs Arts Council in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for Arts Council programs.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

22-222: CONFIRM HIRE OF CLERICAL ASSISTANT FOR TAX ASSESSOR'S OFFICE

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize the hiring of Chelsea Ruiz as Temporary Full Time Clerical Assistant for the Tax Assessor's Office at a rate of \$15.00 per hour, effective Tuesday July 5, 2022.

22-223: AWARD CONTRACT TO BOSWELL ENGINEERING FOR BOUNDARY AND TOPOGRAPHICAL SURVEY FOR BUSH PLAZA PARK

WHEREAS, there is a need to conduct a boundary and topographical survey for Bush Plaza Park in the Borough of Oakland; and

WHEREAS, Boswell Engineering, 330 Phillips Avenue, South Hackensack, N.J. 07676-1722 has submitted proposal #PR-22-11081 for the services required in a one-time lump sum amount of \$4,875.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #2-01-20-165-100 for \$4,875.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland hereby award the contract to Boswell Engineering, 330 Phillips Avenue, South Hackensack, N.J. 07676-1722 for a boundary and topographical survey for Bush Plaza Park; and

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

22-224: AUTHORIZE CHAPTER 159 FOR USDA EMERGENCY WATERSHED PROTECTION GRANT FOR ALLERMAN BROOK REPAIRS

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Oakland has been awarded an NRCS Grant in the amount of \$137,587.50 for the purpose of Allerman Brook debris removal and repairs, and wishes to amend its 2022 budget to include this amount as a revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Oakland hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Miscellaneous Revenues:
Special Items of General Revenue Anticipated with Prior Written
Consent of Director of Local Government Services - Public and
Private Revenues Offset with Appropriations:
Allerman Brook Debris Removal & Repairs

BE IT FURTHER RESOLVED that a like sum of \$137,587.50 be and the same is hereby appropriated under the caption of:

General Appropriations:
(A) Operations - Excluded from "CAPS"
Public and Private Appropriations Offset by Revenues:
Allerman Brook Debris Removal & Repairs
Other Expenses - \$ 137,587.50

BE IT FURTHER RESOLVED that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

**22-226: AWARD CONTRACT TO PENN'S TRAIL ENVIRONMENTAL, LLC. FOR
GEOPHYSICAL INVESTIGATION FOR 20 LENAPE LANE**

WHEREAS, there is a need to conduct Geophysical Investigation for 20 Lenape Lane, Oakland, N.J. 07436; and

WHEREAS, Penn's Trail Environmental, LLC, 21 E. Lincoln Ave Suite 160, Hatfield, P.A. 19440 has submitted Proposal #PTE 4952-2 dated July 8, 2022 for the services required in the amount of \$2,225.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-885-504 for \$2,225.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland hereby award the contract to Penn's Trail Environmental, LLC, 21 E. Lincoln Ave., Suite 160, Hatfield, N.J. 19440 for a Geophysical Investigation for 20 Lenape Lane; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the agreement on behalf of the Borough.

22-227: RESOLUTION TO THE PLANNING BOARD DESIGNATING AREA IN NEED OF REHABILITATION PURSUANT TO N.J.S.A. 40A:12A-14 FOR REVIEW AND RECOMMENDATION

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “Redevelopment Law”) provides a mechanism to empower and assist local governments to promote the advancement of community interests through programs of redevelopment for the expansion and improvement of commercial, industrial, residential and civic facilities; and

WHEREAS, the Redevelopment Law empowers the Borough of Oakland (the “Borough”) by and through its Mayor and Council (the “Governing Body”), to delineate an area within the Borough as an area in need of rehabilitation if the area qualifies under one of the criteria enumerated under N.J.S.A. 40A:12A-14; and

WHEREAS, Borough Planner, Steven M. Lydon, PP/AICP, of Burgis Associates, Inc., has been directed to investigate whether a portion of the commercial corridor located along and around a stretch of Ramapo Valley Road (the “Study Area”) qualified as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, Mr. Lydon prepared a report entitled “Area in Need of Rehabilitation Report” dated April 26, 2022 which is attached hereto as Exhibit A (the “Study Report”); and

WHEREAS, the Study Report concludes that because (a) a significant number of the structures are in a deteriorated or substandard condition; (b) over 50% of the dwellings are over 50 years old; and (c) the water supply infrastructure is over 50 years old, the Study Area qualifies as an area in need of rehabilitation under the Redevelopment Law; and

WHEREAS, the Redevelopment Law requires that the Mayor and Borough Council refer the Study Report and any proposed resolution delineating the Study Area (the “Proposed Resolution”), a copy of which is attached hereto as Exhibit B, to the Planning Board for review.

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

1. The Borough Clerk is hereby directed to refer the Study Report and Proposed Resolution to the Planning Board for review and recommendation. Within forty-five (45) days of its receipt of the Study Report and Proposed Resolution, the Planning Board shall conduct its review at an open meeting and shall adopt and deliver to the Mayor and Borough Council a resolution recommending that the Proposed Resolution be adopted, not be adopted, or be adopted with amendments.
2. All Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.
3. This Resolution shall take effect immediately.

22-228: AUTHORIZE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, the Oakland Tax Collector has previously issued a tax sale certificate 20-00023 to Trystone Capital Assets, LLC., which certificate dated December 21, 2020 covering premises commonly known and referred to as Block 2201/Lot 9, better known as 319 West Oakland Avenue, and

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificates and have duly filed the appropriate Affidavit of Loss with the Tax Collector; a copy which is here to; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon, advice of the Tax Collector, do hereby authorize the issuance of a duplicate sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997,

BE IT FURTHER RESOLVED, that a copy of this resolution and the Affidavit of Lost Certificate be attached to the duplicate certificate to be issued to the said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

22-229: AUTHORIZE CANCEL OF SEWER CAPITAL BALANCES

WHEREAS, certain Capital Improvement Authorization balances remain dedicated to projects which have been completed; and

WHEREAS, the balances are no longer necessary for the purpose originally created,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland that the following balances of unexpended Sewer Capital Improvement Authorizations be cancelled as follows:

General Capital:

Ordinance: Number	Description	Unexpended Improvement: Authorization Balance to Cancel	ACTION: DB
CR			
08-575	Skyview Collection	\$ 1,746.23	IAF
FB			
08-584	Skyview Supplemental	\$ 7,581.63	IAF
FB			
18-775	Skyview I&I Reduction	\$ 190,000.00	IAUF
Fixed Cap			
			Pro BNABI Est
BNABI			
Total – Sewer Capital			\$ 199,327.86

**22-230: AWARD FLOW COOPERATIVE PURCHASING GROUP CONTRACT
FOR SOLID WASTE DISPOSAL**

WHEREAS, the Township of Wyckoff, as the lead agency for the Wyckoff, Oakland, Franklin Lakes Cooperative Purchase Group, Solicited proposals for garbage disposal services; and

WHEREAS, the Township of Wyckoff, as lead agency, on Tuesday June 28, 2022 awarded the contract for garbage disposal services to the lowest responsive and responsible bidders, Gaeta Recycling, 278-282 West Railway Avenue, Paterson, New Jersey 07503, for the years 2023 to 2027;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that, subject to the contract award by the Borough of Oakland consistent herewith, the contract for garbage disposal services be and is hereby awarded under the Wyckoff, Oakland, Franklin Lakes Cooperative Purchase Group bid to Gaeta Recycling at the following prices, inclusive of all taxes including the \$3.00 per ton State of New Jersey Recycling Tax:

2023	\$89.00 per ton
2024	\$92.00 per ton
2025	\$95.50 per ton
2026	\$101.00 per ton
2027	\$107.50 per ton

BE IT FURTHER RESOLVED that the contract award authorized by this resolution is contingent upon formal appropriation of fund's in each year's municipal budget; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract, subject to review and approval of such documents by the Borough Attorney; and

BE IT FURTHER RESOLVED that a Certification of Funds has been prepared and authorized by the Chief Financial Officer for the said contract assuring that there are sufficient appropriations to fund the payments authorized in this resolution as an express and mandatory condition of the award of this contract; and

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to Gaeta Recycling, the Township of Wyckoff, the Borough of Franklin Lakes and the Borough's Chief Financial Officer.

22-231: AWARD CONTRACT FOR PURCHASE OF BOBCAT SKID STEER LOADER

WHEREAS, there is a need to purchase a Bobcat Skid Steer Loader for the Borough of Oakland; and

WHEREAS, Bobcat of North Jersey, 201 Maltese Drive, Totowa, N.J. 07512 has submitted Proposal #33459d034112 for the items desired in the amount of \$64,599.20; and

WHEREAS, Bobcat of North Jersey has Bergen County Co-op #BC-Bid-22-09 for the items desired; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-885-402 for \$ 64,599.20; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland hereby authorize the purchase of a Bobcat Skid Steer Loader from Bobcat of North Jersey, 201

Maltese Drive, Totowa, N.J. 07512 in the amount of \$64,599.20.

22-233: APPOINT COMMUNICATIONS COMMISSION SECRETARY

WHEREAS, the Communications Commission 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 Wendi Francis-Seelin as the Secretary to the Communications Commission at an annual stipend of \$1,200.00 effective Monday September 5, 2022.

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

RESOLUTIONS:

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

22-232: AUTHORIZE WATER RESTRICTIONS

WHEREAS, there is an increasing demand on the Borough of Oakland's water system during the summer months; and

WHEREAS, the Borough of Oakland must maintain adequate water storage for emergency response situations; and

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

1. Odd/Even water restrictions based on your home address number will go into effect as of July 20, 2022 through September 15, 2022 for outside watering;
2. This regulation applies to residential and commercial properties;
3. This restriction shall not apply to watering newly planted grass, newly planted shrubbery, and horticultural businesses located in the Borough of Oakland.

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

ORDINANCES:

ORDINANCE 22-CODE-888

"AN ORDINANCE AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES"

The Borough Clerk was directed to take from table Ordinance No. 22-Code-889 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 22-Code-889 entitled, **"AN ORDINANCE AUTHORIZING AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES"**

On motion of Councilman Saliani, 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 AND ENCOURAGING ELECTRIC VEHICLE SUPPLY/SERVICE EQUIPMENT (EVSE) AND MAKE-READY PARKING SPACES"**, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday August 17, 2022 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, Talamini**
 Nays: **None**
 Abstain: **None**
 (5 ayes – 0 nays – motion carried)

WORK SESSION:

ROTARY PARK SIGN: Franklin Lakes-Oakland Rotary Club President Richard Lepre presented an amended plan to revitalize the old Borough message sign located in Rotary Park. The Borough Council gave permission to the Franklin Lakes-Oakland Rotary Club to proceed with the project.

ARTS IN OAKLAND COMMITTEE: Sustainable Oakland Green Team members Alison Fleeson and Andrea Levy brought forth a proposal to create an Arts in Oakland Committee. Ms. Fleeson explained that the proposed Committee would focus on performing and visual arts programs. The Committee would seek grants and donations to fund activities and programs. Borough Administrator Richard Kunze presented a draft resolution for consideration for the August 17, 2022 Council Meeting. Councilman Kulmala expressed support for the Committee. It was agreed upon to act on the resolution at the August 17, 2022 Borough Council Meeting.

CLASS III SPECIAL POLICE OFFICERS: Borough Administrator Richard Kunze provided a draft ordinance to add the position of Class III Special Police Officer. Adding this position to the code will prepare the Borough for future discussions of adding such position to the Oakland Public Schools. It was agreed upon to introduce said ordinance at the August 17, 2022 Council Meeting.

RECREATION ADVERTISING PROGRAM: Borough Administrator Richard Kunze brought forth a proposal from the Recreation Commission to solicit advertisements for banners to be placed on field fences during the playing seasons. The proposed cost is \$500 per banner per season for football, and \$700 per banner per season for baseball. The proceeds would be anticipated in the following year's budget to offset costs for equipment and supplies. The banners will be uniform in nature and the sponsor must provide their logo and payment for participation. Banners would be valid for one (1) playing season. It was agreed upon to move forward with the program. There will have to be a fee ordinance amendment before announcing the program.

OLD BUSINESS:

No old business reported.

NEW BUSINESS:

No new business reported.

COUNCIL COMMITTEE AND LIAISON REPORTS:

COUNCILMAN KULMALA: Councilman Kulmala reported that the Oakland Police Department has announced their trading cards program. More information is on the Police Department Facebook page and on the Borough website. The Police Department would like to remind residents to keep their cars locked overnight. Councilman Kulmala thanked the Police Department for a successful Junior Police Academy. Councilman Kulmala congratulated new Police Officer Karley Greulich on her appointment, and Sergeant Bryan Rowin and Lieutenant Mark Piercy on their promotions. It was announced that the Pickleball Courts are up and running and seems to be a success.

COUNCILMAN MCCANN: Councilman McCann announced that the Communications Commission and its several subcommittees are seeking new volunteers. Opportunities include writing, film production, graphic design, and more. The Commission is working on obtaining grants and/or donations for the Senior Center Camera Project.

COUNCILMAN PIGNATELLI: Councilman Pignatelli reported that there is a Senior BBQ on August 18, 2022 at the Oakland Senior Center.

COUNCILMAN SALIANI: Councilman Saliani reported that the Bush Plaza Park Ad-Hoc Committee is researching grants and is working with Boswell Engineering to survey the property. Residents may contact the Department of Public Works to report potholes. Over 700 potholes have been repaired in 2022.

COUNCILMAN TALAMINI: No updates.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

No public comment.

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

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, Talamini**
 Nays: **None**
 Abstain: **None**
 (5 ayes – 0 nays – motion carried)

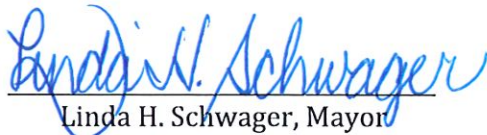
ADJOURNMENT:

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

ALL IN FAVOR.

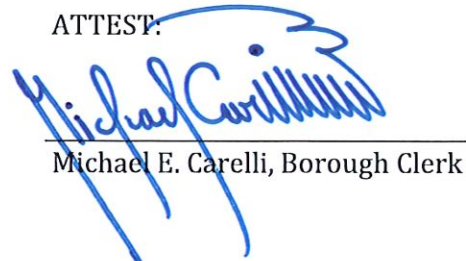
Adjourned: 8:27 p.m.

APPROVED BY:



Linda H. Schwager, Mayor

ATTEST:



Michael E. Carelli, Borough Clerk