

BOROUGH OF OAKLAND
Borough Council Meeting
MEETING MINUTES

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

October 26, 2022 – 7:00 p.m.

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 McCann, Pignatelli, Saliani, Slasinski, Talamini.

Also Present: Borough Administrator Richard Kunze, Borough Clerk Michael Carelli, Borough Attorney Brian Chewcaskie, Borough Engineer John Yakimik.

Absent: Councilman Kulmala.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

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

MAYORS REPORT:

Mayor Schwager announced the Annual Halloween Parade and Trunk or Treat for Saturday October 29, 2022 at 10:00 a.m. The General Election is scheduled for Tuesday November 8, 2022. Polls are open from 6:00 a.m. – 8:00 p.m. Early Voting is available until November 6, 2022 at several locations throughout Bergen County, including Mahwah. Mayor Schwager reminded residents that the public schools are closed on Election Day. It was announced that the Borough has received silver level certification status for the Safe Routes to Schools Program, which counts towards our Sustainable Jersey Certification. The Borough has also received silver level certification through Sustainable Jersey for 2022.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

No public present.

Councilman Talamini set forth the motion, seconded by Councilman Saliani, to close public comment.

ALL IN FAVOR.

RECOGNITION OF IRIS PASCUAL FOR ARCHERY SPORTING ACCOMPLISHMENTS:

Mayor Schwager presented a certificate of recognition to Ms. Iris Pascual as the second place winner of the 2022 New Jersey Archery Association Junior Olympic Program.

APPROVAL OF MINUTES:

October 12, 2022

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

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

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:

AUTHORIZE RAFFLE LICENSE #RL1440 FOR VALLEY MIDDLE SCHOOL PARENT TEACHER ORGANIZATION TO HOLD ON-PREMISE 50/50 RAFFLE ON DECEMBER 3, 2022 AT VALLEY MIDDLE SCHOOL, 71 OAK STREET, OAKLAND, N.J. 07436:

Councilman Talamini set forth the motion, seconded by Councilman Saliani, to approve Raffle License #RL1440.

ALL IN FAVOR.

AUTHORIZE RAFFLE LICENSE #RL1441 FOR VALLEY MIDDLE SCHOOL PARENT TEACHER ORGANIZATION TO HOLD ON-PREMISE RAFFLE FOR MERCHANDISE ON DECEMBER 3, 2022 AT VALLEY MIDDLE SCHOOL, 71 OAK STREET, OAKLAND, N.J. 07436:

Councilman Talamini set forth the motion, seconded by Councilman Slasinski, to approve Raffle License #RL1441.

ALL IN FAVOR.

REQUEST FOR BANNER PLACEMENT AT BUSH PLAZA FOR OAKLAND FATHER'S CLUB FOR PICTURES WITH SANTA FROM OCTOBER 27, 2022 TO DECEMBER 4, 2022:

Councilman McCann set forth the motion, seconded by Councilman Slasinski, to approve the sign placement as listed above.

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

APPOINTMENT(S) TO OAKLAND ARTS COMMITTEE:

Mayor Linda H. Schwager recommended the appointment of Peter Marcalus and Kevin Bagar as Committee Members on the Arts Committee for a one (1) year term, with a term expiration date of December 31, 2022. Councilman Pignatelli put forth the motion, seconded by Councilman Talamini, for both appointments.

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

RESOLUTIONS:

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

22-283: AUTHORIZE REFUND OF TAXES DUE TO TAX COURT JUDGEMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the amount of \$5,848.05; and

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

WHEREAS, the Chief Financial Officer has verified that the amount is due and that funds are available in account Tax Refund CF-01-55-998-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, do hereby authorize payment to be made in the amount of \$5,848.05 to:

Anita Dricheler and Laurie Gross Block 1301
c/o Jacobus & Associates Lot 31
201 Littleton Road, Suite 100
Morris Plains, N.J. 07950

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

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

**22-284: AUTHORIZE GRANT SUBMITTAL TO FY23 NEW JERSEY DEPARTMENT
 OF TRANSPORTATION TRANSPORTATION ALTERNATIVES SET ASIDE
 GRANT PROGRAM FOR UPPER ALLERMAN ("POND") BROOK SOIL
 STABILIZATION PROJECT**

WHEREAS, the Borough of Oakland is applying for funding for the Upper Allerman ("Pond") Brook Soil Stabilization Project through the FY2023 New Jersey Department of Transportation Transportation Alternatives Set Aside Grant Program; and

WHEREAS, this project will help to improve erosion control and deteriorating stream bank slopes along the Upper Allerman ("Pond") Brook; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Oakland with the exception of local ordinances that places maintenance responsibility with each individual property owner;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that it hereby supports the submission of a grant application for the Upper Allerman ("Pond") Brook Soil Stabilization Project within the State of New Jersey Department of Transportation; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

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

ORDINANCES:

ORDINANCE 22-CODE-893

**"AN ORDINANCE AMENDING CHAPTER 59 OF THE CODE OF THE BOROUGH OF OAKLAND,
ENTITLED "LAND USE AND ZONING""**

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-893 and read by title for its final hearing.

The Borough Clerk then read by title an Ordinance entitled **"AN ORDINANCE AMENDING
CHAPTER 59 OF THE CODE OF THE BOROUGH OF OAKLAND, ENTITLED "LAND USE AND
ZONING""**.

OPENED FOR PUBLIC COMMENT:

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

ALL IN FAVOR.

No public comment.

CLOSED FOR PUBLIC COMMENT:

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

ALL IN FAVOR.

On motion of Councilman Talamini, seconded by Councilman Slasinski, Ordinance 22-Code-893 be amended and reintroduced to include section ("I"), which states that "in the event that an Applicant requests a Special Meeting of either the Planning Board or the Board of Adjustment, the Applicant shall pay a fee of \$2,000.00 to cover the costs of the Special Meeting."

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

WORK SESSION:

2023 BOROUGH COUNCIL MEETING DATES:

Mr. Kunze brought forth the proposed 2023 Borough Council Meeting dates as the Borough is preparing the 2023 mailed Borough Calendar, and needs to secure the dates ahead of time. It was advised that the December 2023 meetings are the 1st and 3rd Wednesday of the month due to the holidays. The Mayor and Borough Council consented to the dates and the Borough Clerk will prepare the dates for adoption at the annual Reorganization Meeting.

SOLID WASTE DISPOSAL BID:

Mr. Kunze provided the bid results for the solid waste, recycling, and yard waste collection bid. The Borough will see a 17% increase from 2022 to 2023. The Borough proposed several pricing options for alternative collection methods, as well as a 2nd recycling collection. The bid pricing was for a five-year contract period. The Public Works Committee has reviewed the bid and has recommended the Borough Council award a three (3) year contract and to go back out to bid in 2025. In the meantime, the Borough will research alternate methods such as in-house or shared services.

ENGINEERING PROPOSAL FOR 2023 ROAD RESURFACING PROGRAM:

Mr. Kunze provided an engineering proposal from Boswell Engineering for Engineering Services for the 2023 Road Resurfacing Program. The not-to-exceed cost is \$23,500.00. The Borough is anticipating going out to bid in the late winter/early spring. Funding is to come from the American Rescue Plan Act and will offset any incurred debt. Councilman Talamini asked if the funding from ARPA covers the project cost in whole. Mr. Kunze advised that the ARPA funds cover the project

cost and that there may be leftover funding from the 2022 road-resurfacing program. The Mayor and Borough Council consented to bring forth an authorizing resolution at the November 9, 2022 Borough Council Meeting.

ORDINANCE ESTABLISHING BUSINESS INSURANCE REGISTRY PROGRAM:

Mr. Kunze advised that a new law requires businesses to provide an insurance certificate to the municipality. Mr. Kunze reminded the Governing Body that they decided that no local fee will be enacted and the Municipal Clerk's office will be managing the program. Mayor Schwager commented that she is working on a business list with the Chamber of Commerce. Mr. Kunze advised that the Borough has internal data which will be used for the registry. Councilman Talamini asked which businesses are subject to the law. Mr. Chewcaskie advised that it affects even home based businesses in the municipality. Mr. Chewcaskie suggested adopting an ordinance and should it need to be amended in the future, the Governing Body can do so.

NEW BUSINESS:

Mayor Schwager presented hand out cards from the Access for All Committee for children with autism to carry during Halloween Trick or Treating. The cards will be displayed at the Borough Hall and the Oakland Public Library.

Mayor Schwager announced that the Borough is progressing with sewers in the downtown. Mayor Schwager proposed a Historic Preservation Commission and/or Committee to proactively address redevelopment in the downtown should and when sewers arrive in the near future. Discussion ensued on the statutory differences of the powers of a Commission verses a Committee. Councilman McCann spoke to his past experience with writing an ordinance in another municipality. Mr. Chewcaskie agreed to provide a hand out to the Borough Council by the November 22, 2022 Borough Council Meeting which explains the statutory differences between a Committee and Commission.

OLD BUSINESS:

No old business reported.

COUNCIL COMMITTEE AND LIAISON REPORTS:

COUNCILMAN KULMALA: No report as absent.

COUNCILMAN MCCANN: Councilman McCann reported that Altice USA has notified the Borough that they will be providing HD for Channel 77 on a pilot program. More details will be announced on the switch over.

COUNCILMAN PIGNATELLI: Councilman Pignatelli reminded residents that the next Planning Board Meeting on the Hovnanian Development will be on December 6, 2022. The next regular meeting is November 10, 2022. The Board of Health Rabies Clinic is scheduled for November 5, 2022 by appointment only. The next Senior Citizens Meeting is October 27, 2022 at 12:00 p.m. An AARP safe driver course is scheduled for November 17, 2022. To register, call the Oakland Senior Center at (201) 405-7731.

COUNCILMAN SALIANI: Councilman Saliani reminded residents to report potholes and street light outages to the DPW. The north-end sidewalk project has started along Ramapo Valley Road between Cenzino's and Navajo Way.

COUNCILMAN SLASINSKI: Councilman Slasinski reported that the Decommissioning Project for the Sanitary Sewer Treatment Plants continues along Hiawatha Boulevard with pipe installation. Boswell Engineering continues to prepare NJDEP permit applications for the PFAS Compound Treatment System Project. Residents were reminded to clear storm drains of leaves near and around your house to protect the storm drain system. The Oakland Public Library thanked William Miles for completing his Eagle Scout Project, which consisted of landscaping around the back patio area.

COUNCILMAN TALAMINI: Councilman Talamini encouraged residents to attend the annual Halloween Parade and Trick or Trunk on Saturday October 29, 2022 at the Oakland Public Library, 2 Municipal Plaza. Classic cars will be present, along with activities and refreshments.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Dave Richardson of 320 Ramapo Valley Road, Oakland, N.J. 07436 expressed safety concerns at the intersection of Doty Road and Ramapo Valley Road. Mr. Richardson asked if the Borough could reach out to the County to install a traffic signal. It was asked if there is a weight restriction on the Doty Road Bridge. The Borough Engineer advised that there is no weight restriction, although the Borough has the power to enact one, as it is a Borough owned and maintained road. Mr. Richardson also asked the Governing Body to address the intersection of West Oakland Avenue and Doty Road.

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

ALL IN FAVOR.

BILLS TO BE PAID:

On motion of Councilman Slasinski, 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, Pignatelli, Saliani, Slasinski, Talamini
 Nays: None
 Abstain: None
 (5 ayes – 0 nays – motion carried)

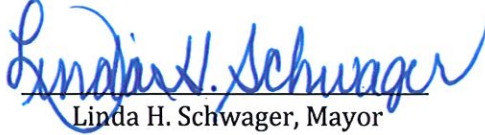
ADJOURNMENT:

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

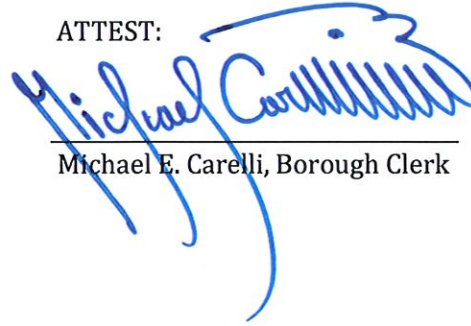
ALL IN FAVOR.

Adjourned: 8:06 p.m.

APPROVED BY:


Linda H. Schwager, Mayor

ATTEST:


Michael E. Carelli, Borough Clerk