

BOROUGH OF OAKLAND
Borough Council Meeting
MEETING MINUTES

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

September 13, 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. Pending or Anticipated Litigation.
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 Wendy Quiroja, Borough Engineer John Yakimik.

Absent: None.

SALUTE TO THE FLAG AND MOMENT OF SILENCE:

MAYOR'S REPORT:

Mayor Schwager congratulated the Green Team chaired by Alison Fleeson on being awarded the Sustainable Jersey Silver Level Certification for completing 34 actions in 13 categories for a total of 420 points, the certificate will be given out at the League of Municipalities Annual Convention luncheon. Thank you to the group for all your hard work. Mayor Schwager announced on Friday September 15 at 12:30 that the Bergen County Division of Federal Services will host a POW/MIA recognition ceremony. Mayor Schwager announced that Recreation Baseball is having a Mum sale that will take place on September 23 and 30 from 9 am to 4 pm in the post office parking lot raising funds for the 12U team to go to Ripkin 2024. The girls softball team is asking for donations to support their travel uniforms and upgrades of equipment, you can help by going to raise.snap app, the Oakland NJ Brave Softball Facebook page or you can go to the website Oaklandtravelsoftball2023. Mayor Schwager announced that on September 18th there is a free jazz concert at the Oakland Public Library at 7 PM, register by calling the library or going to the website. Mayor Schwager made a public service announcement from the Clerk's office stating there will be late night voter registration on Tuesday October 17 at Borough hall till 9 PM. This is the last day to register to vote for the November 2023 election. Mayor Schwager announced there are two vacancies on the Access for All Committee and she will be appointing 2 new members tonight. Mayor Schwager announced it is official she has received notice from NJDOT for an additional 3 million for a total of approximately 8.8 million, leaving no burden on the taxpayer. Thank you to the commissioner. Mayor stated that she agrees Lakeside Boulevard is a mess and horrible to drive on. The sewer lines have been installed and now we are moving forward with the water main replacement and then the roads will be paved when the weather is permissible. With regards to the PSE&G gas line replacements, we are waiting on the specifics of the roads they did, they will let us know when they will come and repave. Mayor Schwager shared that the PFOS/PFAS water contract

was awarded and starting installation of all systems; all work will be completed no later than February 2024.

I just want to remind everybody that our water has not changed, New Jersey Standards have changed.

ENGINEER'S REPORT:

Mr. Yakimik stated regarding the Patriot's Way Bridge that the DOT sent a notice in August as a result of getting the grants which triggered an executive order from the 1980's that stated an environmental assessment must be prepared. Boswell put together the assessment and submitted it to the NJDOT. We expect review and approval within a month. Delays will be 30-45 days.

Mr. Yakimik stated that he will meet with the Mountainside Avenue residents to come up with a viable plan for the pump station. The Oakland Road program is complete. Bid advertising will be going out next week for the water main project on Lakeside as well as advertising for Bush Plaza work. DPW is doing ancillary things till a contractor is on board. Out to bid now is improvements to Seminole Avenue between Hiawatha and Calumet bids are due by September 26, 2023. Councilman Pignatelli asked when will work on Bush Plaza will be done? Mr. Yakimik stated there are long lead items that take time to come in and the work will start in October and be completed by June 2024. Councilman Kulmala asked about the inspection for the weight limit on the Patriots Way Bridge. Mr. Yakimik stated he received an email from the state consultant stating the state got approval for the funds to do the ratings to see if they can increase the weight limit, it started last week, and he expects it to take 2 weeks. Mr. Yakimik will follow up again. Councilman Kulmala asked for a timeline on when we expect to break ground on the bridge construction. When it goes out to bid it will be on the street for 2 months, once bid is picked, the contractor would then submit shop drawings which can take several months. The Bridge itself is prefabricated; it will be open while being built. The bridge will be closed when ready to be installed. Overall, this will be an extended period of time 1-2 years. Councilman Kulmala asked if there is a possibility that the bridge weight could be raised after the report. Mr. Yakimik stated possibly.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Andrea Levy, 780 Ramapo Valley Road. The Arts Council will meet Monday September 18 7 PM at the Oakland Senior center. The Arts Pavilion grand open was delayed and rescheduled for September 23 from 1-5 PM with a new rain date of October 14. The deadline for the mural contest is coming up on October 13, and we are starting to get some entries. The Poetry contest submissions are due by Friday September 15. There is an Open Mike Night at Real Brave on September 28, October 26, and November 30. The Oakland Communications Commission will be posting history of Oakland photos and we welcome photos from residents. The Green team has Sunday Hikes on October 1st and then again on November 5.

Tim Lally, 4 Mountain Lakes Road, the Visconte House. He would like the Borough to revisit what the pump house will look like.

Ardi Bruncaj, 1 Mountain Lakes Road, he faces the pump house, and he would like the plans for the pump house to be revisited. Feels there is a safety risk.

Frank DiPentima, 6 Mountain Lakes Road, would like to see what was promised. We were told it would be a park-like area. Please come look at it. Happy with more funds for the bridge, but what about the sewers, he spoke with Senator Schepisi; she stated there are funds and that you must ask for them. So please ask. Thank you to Mr. Kunze for having the curbing fixed. Mr. DiPentima asked has Mrs. Cedar received a formal apology yet.

Ann Sedar 33 Winding Ridge, would like to know the status of the patriot's way bridge bids, did we pick one what is the timeline. Would like to know if Resolution 23-269 on the agenda was for the presentation at the September 13, 2023, meeting.

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

ALL IN FAVOR.

APPROVAL OF MINUTES:

August 16, 2023

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

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

August 16, 2023, Executive Session

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

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

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:

Mayor Schwager read aloud the Proclamation for Knock Out Opioid Abuse Day October 6, 2023:

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2023, as Knock Out Opioid Abuse Day – an initiative with a multiple purposes: to raise awareness of the potential for dependency on prescribed pain medicine and its link to heroin and fentanyl use in our state; to reduce stigma of addiction and shine a light on the need for recovery support; and to communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and

WHEREAS, the State Senate and General Assembly jointly resolved in 2016 that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, prescription opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS, Children’s Aid and Family Services, The Center for Alcohol and Drug Resources, and the Bergen County Prevention Coalition support initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction;

THEREFORE, BE IT RESOLVED, that October 6, 2023, be recognized as Knock Out Opioid Abuse Day in Oakland.

APPOINTMENT TO THE COMMUNICATIONS COMMISSION

On motion of Councilman Pignatelli, seconded by Councilman Slasinski, Mark Albala be appointed as a Commissioner on the Oakland Communications Commission.

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

APPROVE SOCIAL AFFAIRS PERMIT FOR OAKLAND ELKS LODGE #2167 FOR SEPTEMBER 30, 2023

On motion of Councilman Pignatelli, seconded by Councilman Saliani, Social Affairs Permit for Oakland Elks Lodge # 2167 September 30, 2023, be approved.

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

APPROVE SOCIAL AFFAIRS PERMIT FOR OAKLAND ELKS LODGE #2167 FOR NOVEMBER 18, 2023

On motion of Councilman Pignatelli, seconded by Councilman Saliani, Social Affairs Permit for Oakland Elks Lodge # 2167 November 18, 2023, be approved

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

ALL IN FAVOR.

**AUTHORIZE RAFFLE LICENSE #RL1461 FOR RAMAPO BERGEN REFUGE, INC. FOR ON-
PREMISE RAFFLE FOR MERCHANDISE ON MARCH 17, 2024 AT 2 SHELTER LANE,
OAKLAND, NJ 07436**

On motion of Councilman Saliani, seconded by Councilman Talamini, raffle license #RL1461 be approved.

ALL IN FAVOR.

**AUTHORIZE RAFFLE LICENSE #RL1462 FOR OAKLAND ELKS LODGE #2167 FOR ON-
PREMISE RAFFLE FOR MERCHANDISE ON NOVEMBER 18, 2023 AT 33 RAMAPO
VALLEY ROAD, OAKLAND, NJ 07436**

On motion of Councilman Talamini, seconded by Councilman Kulmala, raffle license #RL1462 be approved.

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

ALL IN FAVOR.

**AUTHORIZE RAFFLE LICENSE #RL1463 FOR OAKLAND ELKS LODGE #2167 FOR ON-
PREMISE CASH RAFFLE FOR MERCHANDISE ON NOVEMBER 18, 2023 AT 33 RAMAPO
VALLEY ROAD, OAKLAND, NJ 07436**

On motion of Councilman Talamini, seconded by Councilman Kulmala, raffle license #RL1462 be approved.

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

ALL IN FAVOR.

APPOINTMENT TO THE ACCESS FOR ALL COMMITTEE

Mayor Schwager appointed Joan Check to the Access for All Committee as Member for a one (1) year unexpired term, with a term expiration date of December 31, 2023.

Mayor Schwager appointed Eileen Peri to the Access for All Committee as Member for a one (1) year unexpired term, with a term expiration date of December 31, 2023.

RESOLUTIONS – CONSENT AGENDA:

**23-259: AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING
SERVICES FOR LAKEVIEW TERRACE STORM SEWER UPGRADES
PROJECT**

WHEREAS, there is a need for engineering services for the Lakeview Terrace Storm Sewer Upgrades Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated September 7, 2023 for services required at a total cost not to exceed cost of \$19,000.00, broken down as follows:

TASK #1:	Data Collection:	\$4,000.00
TASK #2:	Design:	\$15,000.00

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-855-301 in the amount of \$4,900.00 and Account #C-04-56-855-302 in the amount of \$14,100.00; 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 Lakeview Terrace Storm Sewer Upgrades Project at a cost not to exceed \$19,000.00; and

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

23-260: AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR JEROME AVENUE STORM SEWER UPGRADES PROJECT

WHEREAS, there is a need for engineering services for the Jerome Avenue Storm Sewer Upgrades Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated September 7, 2023 for services required at a total cost not to exceed cost of \$22,000.00, broken down as follows:

TASK #1:	Data Collection:	\$4,000.00
TASK #2:	Design:	\$18,000.00

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-885-801 in the amount of \$22,000.00; 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 Jerome Avenue Storm Sewer Upgrades Project at a cost not to exceed \$22,000.00; and

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

23-261: AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CDBG FY 2023 UNPROGRAMMED FUNDS GRANT PROGRAM FOR JEROME AVENUE STORM IMPROVEMENTS PROJECT

WHEREAS, a Bergen County Community Development Block Grant CDBG Unprogrammed Funds Application in the amount of \$163,750.00 has been proposed by the Borough of Oakland for the Jerome Avenue Storm Improvements Project in the Borough of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization of the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the citizens of the Borough of Oakland; and

WHEREAS, this resolution does not obligate the financial resources of the municipality, and is intended solely to expedite expenditures of the aforesaid Community Development funds;

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 confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Director of the Bergen County Community Development Division so that implementation of the project may be expedited.

**23-262: AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT CDBG FY 2023 UNPROGRAMMED FUNDS
GRANT PROGRAM FOR SENIOR CENTER IMPROVEMENTS PROJECT**

WHEREAS, a Bergen County Community Development Block Grant CDBG Unprogrammed Funds Application in the amount of \$35,167.22 has been proposed by the Borough of Oakland for the Senior Center Improvements Project in the Borough of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization of the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the citizens of the Borough of Oakland; and

WHEREAS, this resolution does not obligate the financial resources of the municipality, and is intended solely to expedite expenditures of the aforesaid Community Development funds;

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 confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Director of the Bergen County Community Development Division so that implementation of the project may be expedited.

**23-263: AUTHORIZE GRANT AGREEMENT FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT CDBG FY 2023 FOR
LAKEVIEW TERRACE STORM SEWER IMPROVEMENTS PROJECT**

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$100,834.00 in 2023 Community Development Block Grant funds for the Lakeview Terrace Storm Sewer Improvements Project;

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be signatories for the aforesaid grant agreement; and

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

BE IT FURTHER RESOLVED, that the Mayor and Borough Council recognize that the Borough of Oakland is liable for any funds not spent in accordance with the grant agreement, and that liability of the Mayor and Borough Council is in accordance with HUD requirements.

**23-264: AUTHORIZE REFUND OF TAXES FOR NIKOLAS MEZIAS DUE TO
 DISABLED VETERANS EXEMPTION**

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$1,442.43; 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 Tax Refund #CF-01-55-998-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$1,442.43 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Nikolas Mezias	62 Cardinal Drive, Oakland, N.J. 07436	5002	45

23-265: 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 \$426.00; 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 \$426.00 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>SPORT TYPE</u>	<u>AMOUNT</u>
Quill Family	89 Martha Place, Oakland, N.J. 07436	Soccer	\$90.00
Asala Family	34 Mohawk Avenue, Oakland, N.J. 07436	Cheer Camp	\$168.00
Kuhrt Family	16 Arrowhead Road, Oakland, N.J. 07436	Cheer Camp	\$168.00

23-266: AUTHORIZE PURCHASE OF REPLACEMENT SENIOR CENTER BUS

WHEREAS, the Borough of Oakland is in need of a replacement shuttle bus for the Borough of Oakland Senior Center; and

WHEREAS, H.A. DeHart & Son, Inc., 311 Crown Point Road, Thorofare, N.J. 08086 has the has the Hunterdon County Educational Services Commission Contract #HCESCVEH-22-11 for the shuttle bus as per the specifications desired; and

WHEREAS, the total cost for the replacement shuttle bus is \$126,711.60; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-907-401;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the Qualified Purchasing Agent of the Borough of Oakland is hereby authorized to issue a Purchase Order to H.A. DeHart & Son, Inc. for the purchase of one (1) Ford E450 14 Passenger Shuttle Bus at a total cost of \$126,711.60.

23-267: AMEND CONTRACT WITH CLEARY GIACOBBE ALFIERI JACOBS LLC FOR PROFESSIONAL BOROUGH TAX APPEAL ATTORNEY SERVICES

WHEREAS, the Mayor and Borough Council awarded a contract for Professional Borough Tax Appeal Attorney Services for 2023 to Cleary Giacobbe Alfieri Jacobs LLC in the amount not to exceed \$30,000.00; and

WHEREAS, there is a need to amend the contract by an additional \$15,000.00; and

WHEREAS, the award of this contract is for a professional service for which no public bidding is required; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # 3-01-55-904-001;

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 2023 contract for Cleary Giacobbe Alfieri Jacobs LLC for Professional Borough Tax Appeal Attorney Services is increased by \$15,000.00 for a new total of \$45,000.00.

23-268: AMEND CONTRACT WITH BOSWELL ENGINEERING FOR PROFESSIONALBOROUGH ENGINEER SERVICES

WHEREAS, the Mayor and Borough Council awarded a contract for Professional Borough Engineer Services for 2023 to Boswell Engineering in the amount not to exceed \$30,600.00; and

WHEREAS, there is a need to amend the contract by an additional \$8,300.00; and

WHEREAS, the award of this contract is for a professional service for which no public bidding is required; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #2-01-20-165-021;

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 2022 contract for Boswell Engineering for Professional Borough Engineer Services is increased by \$8,300.00 for a new total of \$38,900.00.

23-270: AUTHORIZE DONATION OF BOROUGH VEHICLE

WHEREAS, the Borough of Oakland owns a 2004 Chevrolet Suburban; and

WHEREAS, the vehicle is no longer needed for public purposes in the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A: 11-36 permits the transfer of property no longer needed for public purposes to other public entities; and

WHEREAS, a request has been made by the Wantage Township Fire Department, 218 Rt. 519, Wantage, N.J. 07461, for a donation of the 2004 Chevrolet Suburban; and

WHEREAS, the Fire Chief has recommended the donation of the vehicle to assist their Fire 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 it hereby authorizes the donation of a surplus 2004 Chevrolet Suburban, VIN #3GNFK16T84G190697 to the Wantage Township Fire Department, effective immediately.

23-271: AUTHORIZE REFUND OF TAXES DUE TO OVERPAYMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$4,350.85; 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 Tax Refund #CF-01-55-998-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$4,350.85 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Nikolas Mezias	62 Cardinal Drive, Oakland, N.J. 07436	5002	45

**23-273: AUTHORIZE CHAPTER 159 FOR 2023 STATE OF NEW JERSEY
DEPARTMENT OF AGRICULTURE SPOTTED LANTERNFLY
CHEMICAL CONTROL TREATMENT PROGRAM**

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 received a grant in the amount of \$15,000.00 from the Spotted Lanternfly Reimbursement Program for the purpose of insect control in the Borough, and wishes to amend its 2023 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:

Spotted Lanternfly Reimbursement Program

BE IT FURTHER RESOLVED that a like sum of \$15,000.00 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:

Spotted Lanternfly Reimbursement

Other Expenses - \$15,000.00

BE IT FURTHER RESOLVED that the Borough Clerk forward an electronic copy of this resolution to the Director of Local Government Services.

**23-274 AUTHORIZE REFUND OF TAXES TO PSE&G SERVICES CORP. FOR TAX
YEARS 2016, 2017, AND 2018 DUE TO TAX COURT APPEALS**

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$32,912.89; 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 Tax Refund #3-01-55-998-001;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$32,912.89 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
PSE&G Services Corp, Corp Properties Department	80 Park Plaza 6 th Floor, Newark, N.J. 07102-4194	3601	41

23-275 ACCEPT DONATION OF PARK BENCH

WHEREAS, Colleen Pope and Liesa DeNardo of the Borough of Oakland have generously offered to donate a park bench to be placed along River Road near the Ramapo River in the Borough of Oakland in memory of Cal Learsch; and

WHEREAS, the amenity will be a benefit to the residents of the Borough of Oakland;

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, hereby accept the generous donation of a park bench to be placed along River Road near the Ramapo River in the Borough of Oakland, and commend Colleen Pope and Liesa DeNardo for their kind act of generosity;

BE IT FURTHER RESOLVED, that the Oakland Department of Public Works will install the bench;

BE IT FURTHER RESOLVED, that the donors are hereby authorized to have a small placard on the bench inscribed to reflect their donation.

**23-276: AWARD CONTRACT TO BOSWELL ENGINEERING FOR CONSTRUCTION
INSPECTION SERVICES FOR WATER TREATMENT SYSTEM
IMPROVEMENTS WELLS 5, 9, AND 10 PROJECT**

WHEREAS, there is a need for construction inspection services for the Water Treatment System Improvements Project for Wells 5, 9, and 10; and

WHEREAS, Boswell Engineering has submitted a proposal dated August 11, 2023 for services required at a total cost not to exceed cost of \$240,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-903-201 in the amount of \$240,000.00; 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 construction inspection services for the Water Treatment System Improvements Project for Wells 5, 9, and 10 at a cost not to exceed \$240,000.00; and

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

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

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

RESOLUTIONS:

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

23-269: AMEND CONTRACT WITH T&M ASSOCIATES FOR PROFESSIONAL BOROUGH PLANNER SERVICES

Discussion: Councilman Kulmala stated the planner has been very busy the last 8-10 months, with all the work being done downtown, ordinances and cannabis. More time is needed so funding is necessary. Mr. Kunze stated that any work on redevelopment going forward is excluded and will require a new agreement and funding.

WHEREAS, the Mayor and Borough Council awarded a contract for Professional Borough Planner Services for 2023 to T&M Associates in the amount not to exceed \$9,500.00; and

WHEREAS, there is a need to amend the contract by an additional \$9,500.00; and

WHEREAS, the award of this contract is for a professional service for which no public bidding is required; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #3-01-20-110-044;

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 2023 contract for T&M Associates for Professional Borough Planner is increased by \$9,500.00 for a new total of \$19,000.00.

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

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

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

23-272: AUTHORIZE AMMENDMENT TO SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER

WHEREAS, the Borough of Oakland (the "Borough") is involved in litigation entitled In the Matter of the Application of the Borough of Oakland, a Municipal Corporation of the State of New Jersey in Superior Court of New Jersey, Docket no. BER-L-006359-15 with respect to Oakland's affordable housing obligation; and

WHEREAS, a Settlement Agreement determining the parameters for the Borough's affordable housing obligations for the prior Round and the Third Round (1999-2025) between the Borough and Fair Share Housing Center ("FSHC") was authorized by Resolution 20-201 on August 12, 2020; and

WHEREAS, the Borough and FSHC desire to amend their prior Settlement Agreement dated July 29, 2020 to incorporate the negotiated development plans of Landmark Oakland 24, LLC for Block 1706, Lot 4.01.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey that the settlement agreement between the Borough of Oakland, Fair Share Housing Center and Landmark Oakland 24 LLC be executed by the Mayor in accordance with the provisions of law.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately in accordance with law.

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

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

ORDINANCES:

ORDINANCE 23-CODE-928

AN ORDINANCE AMENDING CHAPTER 2, SECTION 25 OF THE OAKLAND CODE TO COMPLY WITH THE ELECTIONS TRANSPARENCY ACT

The Borough Clerk was directed to take from table Ordinance No. 23-CODE-928 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 23-CODE-928 entitled, "**AN ORDINANCE AMENDING CHAPTER 2, SECTION 25 OF THE OAKLAND CODE TO COMPLY WITH THE ELECTIONS TRANSPARENCY ACT**"

On motion of Councilman Saliani, 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 AMENDING CHAPTER 2, SECTION 25 OF THE OAKLAND CODE TO COMPLY WITH THE ELECTIONS TRANSPARENCY ACT”**, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday September 27, 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)

ALL IN FAVOR.

WORK SESSION:

Borough Council Bylaws:

Councilman McCann stated that the Administration Committee met and made changes to the by-laws to be consistent with the state's statutes. Councilman Kulmala stated that the committee agreed and recommended that changes be made. The mayor stated that the by-laws need to be adopted at the first meeting of the year. Mr. Kunze stated a Resolution will be brought forth at the next meeting. For the changes

Purchase of Oakland First Aid Squad Vehicle:

Mr. Kunze reported that the First Aid Squad has asked to utilize the boroughs' ability to purchase a replacement vehicle through one of the boroughs purchasing clubs. The savings is significant.

Redevelopment Assessment Proposal:

This is a follow up from the presentation where the borough planner was asked to do an assessment of the downtown. T & M has provided two quotes for two separate sections. Mayor asked has the two planners met to discuss. Mr. Kunze will follow up with both planners. Councilman Kulmala suggested moving forward with option two. Resolution will be brought forward for the September 27, 2023 meeting.

NEW BUSINESS:

Councilman Talamini stated that the Public Events Committee would like to explore a beer garden option for an event. He also stated they would like better signage for events.

OLD BUSINESS:

No old business reported.

COUNCIL COMMITTEE AND LIAISON REPORTS:

Councilman Talamini: Thank you to the Oakland Communications Commission for the campaign videos. The schools had a meet and greet, for the SLEO's, they spoke with parents, all is going well. Public events will have the trunk or Treat on October 28, 2023.

Councilman Kulmala: Councilman Kulmala reported that he attended the Frank Monaco Way street sign dedication. It was a nice event; the neighborhood planned a block party. He also attended the Oakland Volunteer Fire department 9/11 ceremony that was held on 9/10/23. He congratulates the Green Team on the Silver Award. He stated the next planning board meeting is September 14, 2023, streetscapes will be discussed. The Arts Pavilion kick off is 9/23/23, there will lots of music and performers.

Councilman Pignatelli: Councilman Pignatelli read aloud the First Aid Squad call statistics. Commended Danny Delia and Russ Stammer for the wonderful ceremony and flag display. Councilman Pignatelli stated 343 firemen died on 9\11 and to date 341 have died due to illness from 9/11.

Councilman McCann: Councilman McCann reported that he met with the Access for All Committee. The committee has been granted a \$500.00 budget to use for planning for next year. He welcomed the two new members to the committee and stated Access for All will be working with Public Events for the October 28 Trunk or treat event.

Councilman Slasinski: Councilman Slasinski reported that the Oakland Communications Commission TV Committee is running a sponsorship program and are also seeking donations. Please contact Jim Barry for information. The Commissions 5-year plan is being created for next year and if you have input, please contact Ryan Schwertfeger. Councilman Slasinski shared that the library had a very successful summer reading program with a 60% increase. There was also an increase in adult reading, 40% higher than 2022. He reminded the public there is a Jazz Concert at the library on September 18 and Chi-Gong on Thursdays.

Councilman Salianni: Councilman Salianni wished the mayor a happy holiday. He attended the 9/11 ceremony, and it was great to be part of it. Thank you to the fire department for the invite. The Shade tree commission is seeking two new members. Oakland recreation opened Truman Field on September 6, 2023 with light to be installed next spring. Councilman Salianni reported that the DPW

is doing repairs to the catch basin project, and they filled 491 potholes to date. He thanked the DPW for helping out with Bush Plaza it is saving money.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Michael Guadagnino of 34 Hopper Street, Oakland, N.J. 07436, clarified that the Recreation Commission has a very active special needs program each year.

Andrea Levy of 780 Ramapo Valley Road, Oakland, N.J. 07436, asked what the purpose of the SLEO III officers are, and what happens in the event of an absence. Mr. Kunze added that coverage would be provided from the Oakland Police Department. Ms. Levy expressed support for the Access for All Committee. Ms. Levy added that the Communications Commission is seeking old photos from residents for features in the Borough Newsletter.

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

ALL IN FAVOR.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Andrea Levy- 780 Ramapo Valley Road, Thank you to the Oakland Communications Commission for the taping of the candidates. Ms. Levy stated she likes the idea of a beer garden and there are companies that come in and manage events like this. Ms. Levy stated there is still a need for Electricity for the Arts Pavilion. Mr. Yakimik stated he is meeting with Rockland Electric on Monday. Ms. Levy inquired as to when the parking lot clean up will take place. The Trunk or Treat event is coming up on October 28, 2023 and encouraged anyone interested to sign up and decorate their cars and give out treats.

Councilman Kulmala set forth the motion, seconded by Councilman Talamini, 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, Pignatelli, Saliani, Slasinski, Talamini.
 Nays: None.
 Abstain: McCann.
 (5 ayes – 0 nays –1 abstain-motion carried)


ADJOURNMENT:

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

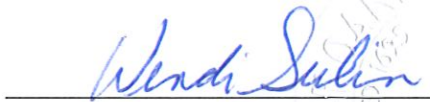
ALL IN FAVOR.

Adjourned: 8:29 p.m.

APPROVED BY:


Linda H. Schwager, Mayor

ATTEST:


Wendi Seelin, Deputy Borough Clerk

