

**BOROUGH OF OAKLAND**  
**Borough Council Meeting**  
**MEETING MINUTES**

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

**September 14, 2022 – 7:00 p.m.**

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, Salliani, Slasinski, Talamini.**

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

**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 reminded the public of the Hometown Hero Recognition Program, which honors Oakland Veterans with a LED sign graphic and social media profile. Applications are available online or at the Oakland Borough Hall. Participants will be notified upon posting. Mayor Schwager announced a Styrofoam Drive on Saturday September 24, 2022 from 9 a.m. to 12 p.m. at the Oakland Borough Hall. A Bergen County Senior Citizens Picnic was announced for September 20, 2022 at Van Saun County Park. It was announced that the County Board of Elections are actively seeking poll workers for the upcoming General Election on November 8, 2022. For more information, email [elections@co.bergen.nj.us](mailto:elections@co.bergen.nj.us) or via phone at (201) 336-6225.

**SWEARING IN OF FIREFIGHTERS:**

Mayor Schwager swore in Alexandruh Pearson as a Junior Firefighter for the Oakland Volunteer Fire Department. Mayor Schwager also swore in Joseph Piemonte as a Firefighter for the Oakland Volunteer Fire Department.

**OPEN PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

Michael Elston of 78 Manito Avenue, Oakland, N.J. 07436 asked when the Borough would be discussing Short Term Rentals. Mr. Elston also asked why the Borough does not hold a Veterans Day Parade. Councilman Talamini suggested that Mr. Elston attend a Public Events Committee to propose the idea to the group.

Jeff Smyrychynski of 90 Skyline Drive, Oakland, N.J. 07436 asked the Borough's stance on matters relating to environmental issues with his and his neighbor's property. Mr. Chewcaskie responded that no evidence has been provided which would trigger the Borough to take any action. Mr. Chewcaskie advised that the homeowner may take any additional action as necessary. Mayor Schwager suggested a meeting be scheduled between Mr. Smyrychynski and the Borough Professionals. Mr. Chewcaskie will work with Mr. Kunze to schedule same.

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

**ALL IN FAVOR.**

**APPROVAL OF MINUTES:**

August 17, 2022

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

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

August 17, 2022 Executive Session

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

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

August 29, 2022 Special Meeting

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

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

**SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:**

**APPOINTMENT(S) TO ARTS COMMITTEE:**

On motion of Councilman Pignatelli, seconded by Councilman Slasinski, the following individuals be appointed to the Oakland Arts Committee for a one (1) year term, with a term expiration date of December 31, 2022.

- Alison Fleeson;
- Alexandra Mazur;
- Natasha Navidad Hoen;
- Judy Piretra;
- Tracy DiTolla;
- April L. Masfield;
- Amy Eilert;
- Andrea Levy;
- Madhav Dua;
- Vilma Mirkov.

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

**APPOINTMENT(S) TO PUBLIC EVENTS COMMITTEE:**

On motion of Councilman Pignatelli, seconded by Councilman Talamini, Vilma Mirkov be appointed as a Committee Member of the Public Events Committee for a three (3) year unexpired term, with a term expiration date of December 31, 2022, and Kristina Pawelko be appointed as a Committee Member of the Public Events Committee for a three (3) year unexpired term, with a term expiration date of December 31, 2022.

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

**APPOINTMENT TO SUSTAINABLE OAKLAND GREEN TEAM:**

Mayor Linda H. Schwager appointed William Eilert as an Associate Member of the Sustainable Oakland Green Team for a one (1) year term, with a term expiration date of December 31, 2022.

**APPOINTMENT(S) TO COMMUNICATIONS COMMISSION:**

Mayor Schwager appointed Brian Laforgia to the Oakland Shade Tree Commission for a five (5) year unexpired term, with a term expiration date of December 31, 2025.

**RL1432: APPROVE RAFFLE #RL1432 FOR JILLY BEAN FOUNDATION FOR ON-  
PREMISE 50/50 RAFFLE ON OCTOBER 8, 2022 AT 24 LAWLOR DRIVE,  
OAKLAND, N.J. 07436**

Councilman Pignatelli set forth the motion, seconded by Councilman Slasinski, to approve Raffle License #RL1432.

**ALL IN FAVOR.**

**RL1433: APPROVE RAFFLE #RL1433 FOR JILLY BEAN FOUNDATION FOR ON-  
PREMISE RAFFLE FOR MERCHANDISE ON OCTOBER 8, 2022 AT 24  
LAWLOR DRIVE, OAKLAND, N.J. 07436**

Councilman Saliani set forth the motion, seconded by Councilman Talamini, to approve Raffle License #RL1433.

**ALL IN FAVOR.**

**RESOLUTIONS – CONSENT AGENDA:**

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

**22-225: AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING  
SERVICES FOR ALLERMAN BROOK REPAIRS**

**WHEREAS**, there is a need for Engineering Services for the Allerman Brook Repairs Project; and

**WHEREAS**, Boswell Engineering has submitted a proposal dated September 14, 2022 for the engineering services required at a total cost not to exceed cost of \$37,806.75, broken down as follows:

Task 1 – Tropical Storm Ida Remediation Efforts - \$5,906.75

Task 2 – Field Surveying - \$7,400.00

Task 3 – Plan Preparation and Bid Services - \$22,000.00

Task 4 – Soil Erosion and Sediment Control Compliance - \$2,500.00

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-04-56-810-301 \$27,000.00 and Account #C-04-56-810-302 \$10,806.75; 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 hereby authorize Boswell Engineering to perform the engineering services for the Allerman Brook Repairs Project at a cost not to exceed \$37,806.75;

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

**22-235: AUTHORIZE REFUND OF PERMIT FEE**

**WHEREAS**, the Borough of Oakland has received a request for a refund for a Permit Fee in the amount of \$1,526.40; and

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Oakland, hereby authorize a refund to:

Richard & Elizabeth Pierce	Block 4601
524 Ramapo Valley Road	Lot 2
Oakland, N.J. 07436	\$1,526.40

**22-254: AUTHORIZE AGREEMENT TO CONDUCT ELECTRONIC TAX SALE**

**WHEREAS**, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

**WHEREAS**, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales at N.J.A.C. 5:33-1.1; and

**WHEREAS**, the Borough of Oakland believes it is in the best interest of the public to utilize an electronic tax sale as this process results in a greater pool of potential lien buyers; and

**WHEREAS**, the Director of the Division of Local Government Services has approved ROK Industries, Inc. d/b/a njtaxlieninvestor.com to conduct electronic tax sales; and

**WHEREAS**, the Borough of Oakland wishes to enter into contract with the vendor to conduct the 2022 online tax sale at a rate of \$15.00 per listed property, not to exceed \$9,000; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account #2-01-20-110-044; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Clerk are hereby authorized and directed to execute the agreement between the Borough of Oakland and ROK Industries, Inc.

**22-255: CANCEL CAPITAL GRANT BALANCES**

**WHEREAS**, there exist certain Capital Grant Receivables and Capital Grant Improvement Authorizations - Funded on the Balance Sheet that were previously authorized by the Borough of Oakland; and

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

**WHEREAS**, it is necessary to formally cancel the Receivable balances and their offsetting Improvement Authorization balances from the Balance Sheet;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Oakland that the following Capital Grant Receivables and Improvement Authorization balances be cancelled:

**Capital Fund**

<u>Account:</u>	<u>Description:</u>	<u>Balance to Cancel:</u>
C-04-55-900-020	General Capital – Grant Receivable	\$20,959.12
C-04-56-705-100	14-705 Flood Acquisition-Admin costs	\$20,959.12

**22-256: CANCEL GRANT RECEIVABLE BALANCES**

**WHEREAS**, there exist certain Grant Receivables and Grant Appropriated Reserves on the Balance Sheet that were adopted into previous Budgets for the Borough of Oakland; and

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

**WHEREAS**, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Oakland that the following grant receivables and appropriation balances be cancelled:

**Grant Fund**

<u>Account</u>	<u>Description</u>	<u>Balance to Cancel</u>
G-02-04-703-000	2022 Municipal Alliance	\$161.00
G-02-20-003-001	2022 Municipal Alliance – County	\$161.00

**22-257: AUTHORIZE RECREATION FIELD BANNER SPONSORSHIP PROGRAM**

**WHEREAS**, the Borough of Oakland Recreation Commission wishes to institute a Field Banner Sponsorship Program; and

**WHEREAS**, the Field Banner Sponsorship Program will allow for businesses to feature their logo on a 6' x 3' uniform banner as supplied by the Borough of Oakland; and

**WHEREAS**, a single sport season sponsorship will be offered at a rate of \$500, with a discount for three (3) sport seasons combined at a rate of \$1,200.00; and

**WHEREAS**, the Borough of Oakland has determined that it is in the best interest of the Borough of Oakland to implement such a program to raise needed non-tax revenue.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Oakland as follows:

1. The Field Banner Sponsorship Program as proposed by the Oakland Recreation Commission is hereby authorized.
2. Certified copies of this resolution shall be provided to the Oakland Recreation Commission.

**22-258: CONFIRM GRANT SUBMISSION TO BERGEN COUNTY MINI CLEAN COMMUNITIES PROGRAM**

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, hereby authorize the Borough Administrator to apply for the Bergen County Mini Clean Communities Grant in the amount of \$300.00 for the Borough Park Cleanup on Saturday September 17, 2022.

**22-259: 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 \$1,186.00; 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-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 \$1,186.00 to:

Mann Family	42 Wenonah Avenue, Oakland, N.J. 07436	TGA Summer Camp	\$258.00
Abdo Family	9 Minnehaha Boulevard, Oakland, N.J. 07436	Football	\$225.00
Paavola Family	48 Minnehaha Boulevard, Oakland, N.J. 07436	TGA Summer Camp	\$258.00
Meyer Family	76 Page Drive, Oakland, N.J. 07436	Cheerleading	\$165.00
Paysour Family	105 Dogwood Drive, Oakland, N.J. 07436	Basketball	\$200.00
Mohani Family	22 Academy Circle, Oakland, N.J. 07436	Soccer	\$80.00

**22-260: AUTHORIZE REFUND OF TAXES**

**WHEREAS**, on March 26, 2022, Ricky Juliano, owner of 12 Cardinal Drive, Block 4303 Lot 3, was declared permanently disabled by the Department of Veterans Affairs; and

**WHEREAS**, the Borough Tax Assessor granted a full property tax exemption as a permanently disabled veteran on July 26, 2022; and

**WHEREAS**, taxes paid after July 26, 2022 must be refunded;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that a refund for taxes in the amount of \$2,215.02 be issued to Mr. Ricky Juliano.

**22-262: AWARD CONTRACT TO AGNOLI ENGINEERING FOR FLOODPLAIN MANAGER SERVICES**

**WHEREAS**, the Borough of Oakland is in need of the services of a Floodplain Manager for 2022; and

**WHEREAS**, Agnoli Engineering has submitted a proposal dated August 28, 2022 for the services required; and

**WHEREAS**, Agnoli Engineering has complied with the Borough of Oakland's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012; and

**WHEREAS**, 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 #2-01-20-165-020;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland hereby award a contract to Agnoli Engineering at a rate of \$150 per hour;

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

**22-263:        AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR WATER MAIN IMPROVEMENTS PROJECT**

**WHEREAS**, there is a need for Engineering Services for the Acorn Street, Florence Avenue, and Birch Avenue Water Main Improvements Project; and

**WHEREAS**, Boswell Engineering has submitted a proposal dated September 7, 2022 for the engineering services required at a total cost not to exceed cost of \$48,000.00, broken down as follows:

Task 1 – Data Collection and Surveying - \$10,000.00

Task 2 – Design - \$35,000.00

Task 3 – NJDEP Highlands Exemption - \$3,000.00

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-06-56-886-101;

**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 hereby authorize Boswell Engineering to perform the engineering services for the Acorn Street, Florence Avenue, and Birch Avenue Water Main Improvements Project at a cost not to exceed \$48,000.00;

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



**22-264: AUTHORIZE VEHICLE AUCTION BIDS**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:11-36, the Borough of Oakland may sell any personal property; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Oakland previously authorized the sale of surplus vehicles via online public auction; and

**WHEREAS**, said auction took place and the Governing Body now wishes to approve the winning bids.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Oakland, that the winning bids and amounts thereof are hereby approved for the following:

<b>VEHICLE/EQUIPMENT</b>	<b>WINNING BIDDER</b>	<b>WINNING BID PRICE</b>
2005 Ford Crown Victoria	John Morrisroe	\$1,300.00
Bobcat Backhoe Attachment	Robert Gardyn	\$1,952.00
Karcher Power Washer	Robert Stillman	\$650.00
Billygoat Brush Cutter	Anthony Biasi	\$601.00
Stone Cement Mixer	Brian Spellman	\$1,000.00
Toro Grounds Master	Russell Rucks	\$1,100.00
2001 Ford F250	Matthew Habib	\$1,650.00

**22-265: CONSENT TO TREATMENT WORKS APPROVAL PERMIT APPLICATION FOR BLOCK 3603 LOT 4**

**WHEREAS**, an application has been made to the Borough of Oakland by Amerlux for the replacement of a malfunctioning septic system for the facility located at 178 Bauer Drive, Oakland, N.J. 07436;

**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 Mayor is hereby authorized to execute the necessary consent by Governing Body to be attached to the Treatment Works Application to be filed by Amerlux subject to the following:
2. The construction shall conform to all applicable requirements of the Borough of Oakland and the Board of Health of the Borough of Oakland.
3. The installation of all sewer lines and appurtenances shall be inspected and approved by the Borough of Oakland and/or the Borough of Oakland Board of Health.
4. Amerlux shall pay for all engineering expenses incurred by the Oakland Board of Health and the Borough of Oakland for all inspections and testing of the sewer lines and/or appurtenances.
5. Amerlux shall pay for the Borough's application fees, legal fees and other applications, administrative, technical or any other expenses relating to review of the project.
6. Any manholes constructed or modified by reason of this project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock.
7. Water conserving plumbing fixtures be installed in all new buildings constructed as part of

this project.

8. Amerlux shall comply with all conditions imposed by the Oakland Board of Health.
9. Amerlux shall comply with all rules and regulations of the Borough of Oakland, the Oakland Board of Health and the New Jersey Department of Environmental Protection.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution shall be provided to Amerlux and the Oakland Board of Health.

**22-266:        AUTHORIZE CHAPTER 159 FOR BERGEN COUNTY MINI CLEAN  
                     COMMUNITIES GRANT AWARD**

**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 a Bergen County Clean Communities Mini Grant in the amount of \$300.00 for the purpose of Municipal Park Cleanup, 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:

Bergen County Clean Communities Mini Grant Municipal Park  
Cleanup

**BE IT FURTHER RESOLVED** that a like sum of \$300.00 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:

Bergen County Clean Communities Mini Grant Municipal Park  
Cleanup

Other Expenses -   \$300.00

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

**22-267: RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR THE BOROUGH OF OAKLAND NATIONAL OPIOID SETTLEMENT TRUST FUND AS REQUIRED BY N.J.S.A. 40A:5-29**

**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**, the Borough of Oakland did sign up to participate in the National Opioid Settlement from which the state will receive half of the \$641 million award from the distributors and manufacturer, with the other half going to participating local governments throughout New Jersey; and

**WHEREAS**, the Borough of Oakland will be receiving their portion of the award in undetermined annual payments as part of the settlement over the next 16 to 18 years; and

**WHEREAS**, the intended use for these settlement funds is to combat opioid abuse here in the Borough by investing in opioid use prevention programs; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Borough of Oakland's participation in the National Opioid Settlement 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 from the Boroughs participation in the National Opioid Settlement 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 Opioid Use Prevention programs.

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.

**22-268: AWARD CONTRACT FOR PURCHASE OF POLICE VEHICLES**

**WHEREAS**, the Borough of Oakland is in need of purchasing two (2) 2023 Ford Utility Interceptor Police vehicles; and

**WHEREAS**, Winner Ford of Cherry Hill, 250 Haddonfield-Berlin Road, Cherry Hill, N.J. 08034 has the State Contract #20-FLEET-01189 for the vehicles as per the specifications desired; and

**WHEREAS**, the cost for each vehicle is \$42,390.00 with the desired options; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account #C-04-56-885-301;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Oakland that the Qualified Purchasing Agent (Q.P.A.) is hereby authorized to issue a Purchase Order to Winner Ford of Cherry Hill for the purchase of two (2) 2023 Ford Utility Interceptor Police vehicles at a total cost of \$84,780.00.

**22-269: AUTHORIZE REFUND OF OTHER FEES AND PERMITS**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of Other Fees and Permits in the amount of \$200.70; 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 Misc. Revenue Refund CF-01-55-998-006;

**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 a payment to be made in the amount of \$200.70 to:

Ryan C. Howell  
39 Massasoit Trail  
Oakland, N.J. 07436

**22-270: AWARD CONTRACT TO AGNOLI ENGINEERING FOR ENGINEERING SERVICES FOR ALLERMAN BROOK REPAIRS**

**WHEREAS**, there is a need for Engineering Services for the Allerman Brook Repairs Project; and

**WHEREAS**, Agnoli Engineering has submitted a proposal dated August 28, 2022 for the engineering services required at a total cost not to exceed cost of \$7,500.00;

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-04-56-810-301;

**WHEREAS**, Agnoli 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 hereby authorize Agnoli Engineering to perform the engineering services for the Allerman Brook Repairs Project at a cost not to exceed \$7,500.00;

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

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

**RESOLUTIONS:**

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

**22-253: AUTHORIZE HONORARY STREET NAMING**

**WHEREAS**, Mr. Frank Monaco was a longtime resident of Thackeray Drive who passed away in 2020; and

**WHEREAS**, Mr. Monaco spent many years volunteering in Recreation or contributing to the civic life of the community; and

**WHEREAS**, his widow and neighbors have made a request to honor Mr. Monaco by adding a street sign above the sign identifying Thackeray Drive with another that would read "Frank's Way"; and

**WHEREAS**, the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, wish to acknowledge Mr. Monaco's contributions and believe an honorary street sign is a fitting way to do so.

**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 requestor shall be permitted to provide a sign that will be located above the existing street sign identifying Thackeray Drive with another that would read "Frank's Way."
2. This sign shall be provided to the Oakland Department of Public Works who will coordinate the installation of the street sign.

**ROLL CALL:**    **Ayes:**                    **Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini**  
                  **Nays:**                    **None**  
                  **Abstain:**                **None**  
                  **(6 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:

**22-261: CONFIRM GRANT SUBMISSION TO UNITED STATES DEPARTMENT OF  
TRANSPORTATION BRIDGE INVESTMENT PROGRAM FOR  
SUPERSTRUCTURE REPLACEMENT OF PATRIOT'S WAY BRIDGE**

**WHEREAS**, there exists an opportunity for the Borough of Oakland to apply for grant funding through the United States Department of Transportation Bridge Investment Program for the Borough of Oakland Patriot's Way Bridge Superstructure Replacement Project; and

**WHEREAS**, the assistance of these federal funds is in the best interest of the Oakland community; and

**WHEREAS**, the Borough of Oakland finds it exceptionally beneficial to apply for these funds to

complete this important project.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey expresses its full support of this grant submission, which would be used to fund the Borough of Oakland Patriot's Way Bridge Superstructure Replacement Project.

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

**ORDINANCES:**

**ORDINANCE 22-CODE-890**

**"AN ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION", SECTION 2-5 ENTITLED "POLICE DEPARTMENT", AS TO AMEND THE TABLE OF ORGANIZATION TO ADD THE POSITION OF CLASS III SPECIAL POLICE OFFICER"**

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-890 and read by title for its final hearing.

The Borough Clerk then read by title an Ordinance entitled **"AN ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION", SECTION 2-5 ENTITLED "POLICE DEPARTMENT", AS TO AMEND THE TABLE OF ORGANIZATION TO ADD THE POSITION OF CLASS III SPECIAL POLICE OFFICER"**

**OPENED FOR PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

No public comment.

**CLOSED FOR PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

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

**ORDINANCE 22-CODE-891**

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

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-891 and read by title for its final hearing.

The Borough Clerk then read by title an Ordinance entitled **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING""** OPENED FOR PUBLIC COMMENT:

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

**ALL IN FAVOR.**

No public comment.

**CLOSED FOR PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

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

**ORDINANCE 22-CODE-892**

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

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-892 and read by title for its final hearing.

The Borough Clerk then read by title an Ordinance entitled **"AN ORDINANCE TO AMEND, SUPPLEMENT, AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING""** OPENED FOR PUBLIC COMMENT:

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

**ALL IN FAVOR.**

No public comment.

**CLOSED FOR PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

**ROLL CALL:**   Ayes:           Pignatelli, Slasinski, Talamini  
                  Nays:           Kulmala, Sallani  
                  Abstain:       McCann  
                  (3 ayes – 2 nays – motion carried)

**WORK SESSION:****Short Term Rentals:**

Councilman Pignatelli brought forth a draft ordinance regarding Short Term Rentals in the Borough of Oakland. Borough Attorney Brian Chewcaskie advised that the ordinance was discussed briefly prior to the start of the pandemic. Councilman McCann asked what issue the Borough is trying to solve by passing such an ordinance. Mr. Chewcaskie advised that the draft ordinance does not address rooming houses and will locate previous correspondence regarding same. Mr. Kunze advised that the Governing Body might want to take action on addressing rooming houses based on previous discussions and complaints. Mr. Kunze advised that there are only a few active complaints from the Code Enforcement Office, and calls are received weekly from property owners and/or developers expressing interest in short term rentals.

**OPEN PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

Michael Elston of 78 Manito Avenue, Oakland, N.J. 07436 expressed support to limit short-term rentals.

William Sisti of 12 Eagle Crest Place, Oakland, N.J. 07436 advised the Governing Body that there are currently two (2) homes listed on Air BNB. Mr. Sisti encouraged the Governing Body to not pass such as ordinance and only address if future problems arise.

Jo-Ann Orzo Ashkenazi of 501 Ramapo Valley Road, Oakland, N.J. 07436 expressed support to limit short-term rentals due to ongoing issues at Crystal Lake. Councilman McCann suggested that the Crystal Lake Association draft bylaws to address such issues.

Steve Panosian of 69 Glen Grey Road, Oakland, N.J. 07436 suggested limiting short-term rentals around public and private schools.

Jeff Smyrychynski of 90 Skyline Drive, Oakland, N.J. 07436 asked if the rental of the property would change from residential to commercial. Mr. Smyrychynski suggested that property owner should be filing CCO's each time the occupant changes.



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

**ALL IN FAVOR.**

The Borough Council agreed to place this topic on for the next work session on September 28, 2022.

**Amend Fees:**

Mr. Kunze addressed several proposed fee amendments. A fee increase was proposed for the DPW Recycling Bins as the cost to purchase the bins has become more than the current sale price. A \$100 fee was proposed for traffic control for utility jobs. A fee increase was proposed for escrow processes. Variance escrow fees are to increase to \$250 and \$50 for any additional variance as the current fees have not been adjusted in several years. New fees were also proposed for the new OCC Sponsorship Program. The fees vary based on different tiers offered by the program. The last fee was in response to a new law enacted, which would require business owners and rental unit owners to file their liability insurance policies with the Borough. A \$30 fee was proposed to cover administrative costs in the office of the Municipal Clerk. Councilman Kulmala asked if this program is unfunded liability. Mr. Kunze advised that there is a clause in the law that allows the municipalities to charge a fee in connection with the program. The Borough Council proposed no fee and to see how the program plays out.

**Tax Abatement Ordinance:**

Councilman Kulmala suggested that this be tabled for introduction until the Planning Board completes and reports their findings on the topic later this year.

**OLD BUSINESS:**

No old business reported.

**NEW BUSINESS:**

Mayor Schwager suggested that in response to thefts related to vehicles and catalytic converters, that the Borough contact local mechanics to ask if they can imprint the vehicles VIN number. Mr. Kunze advised that the Police Department was following up on the matter.

Councilman Kulmala asked if the increase in the State Health Benefits Plan affects the Borough at all. Mr. Kunze advised that the Borough is not part of the State Health Benefits Plan.

Councilman Kulmala suggested that the Borough improve the area along West Oakland Avenue directly across the I-287 exit, as well as the parcel along the railroad. Councilman Kulmala suggested new welcome signage and landscaping. Councilman McCann suggested reaching out to the railroad to assist in improving the area.

## **COUNCIL COMMITTEE AND LIAISON REPORTS:**

**COUNCILMAN KULMALA:** Councilman Kulmala announced a Borough Styrofoam Drive on Saturday September 24, 2022 from 9 a.m. to 12 p.m. at the Oakland Borough Hall. A Park Cleanup is scheduled for Saturday September 17, 2022 from 9 a.m. to 12 p.m. at Great Oak Park, 23 Doty Road. A meeting was held with the new Indian Hills High School Athletic Director and Oakland Recreation. The Director has vowed to stay in communication with our local recreation programs and drive more students to Indian Hills High School.

**COUNCILMAN MCCANN:** Councilman McCann attended the most recent Flood Commission Meeting. The Commission is discussing and preparing formal comments for the new Hovnanian Development off McCoy Road. It was suggested to form an Ad-Hoc Committee to address past issues with developments and flooding. Mayor Schwager will reach out to Mr. Levy separately. It was suggested that the Borough Engineer attend future Flood Commission Meetings. It was reported that the Communications Commission is reaching out to Altice USA, Verizon, and Local BTV for potential donations for the Senior Center Camera Project. Councilman McCann thanked Elizabeth Llorente for her service as the Newsletter Committee Chairperson for the past four (4) years. Kerri Sirinides was welcomed as the new Committee Chairperson. Music submissions are welcomed for the TV Bulletin Board. The Commission is also working on a new welcome packet.

**COUNCILMAN PIGNATELLI:** Councilman Pignatelli invited residents to the Oakland Senior Center Movie Day on September 15, 2022 at 1:00 p.m. A Coffee with the Cop event is scheduled for September 29, 2022 at 11:30 a.m. Registration is open by calling (201) 405-7731. The next Planning Board Meeting is scheduled for October 13, 2022 at 7:00 p.m. The new Hovnanian Tract will be discussed. The public was encouraged to attend and voice concerns and/or comments.

**COUNCILMAN SALIANI:** Councilman Saliani reported that the Shade Tree Commission is seeking an additional member due to the resignation of Peter Kikot. It was reported that the Shade Tree Commission met with the Hovnanian Developers to discuss tree canopy concerns and privacy screening. A statistics report was read aloud from the Borough Forester. The Oakland Department of Public Works inspected 162 drainage outfalls in accordance with NJDEP requirements. Residents are encouraged to report potholes and streetlights to (201) 337-8104. Over 900 potholes were filled as of fall 2022. The Bush Plaza Park Ad-Hoc Committee is working on outstanding ownership questions with the Railroad and the Borough Engineer. Councilman McCann suggested that the Borough of Oakland provide refreshments to the poll workers.

**COUNCILMAN SLASINSKI:** Councilman Slasinski reported that the next progress meeting on the Sanitary Sewer Treatment Plant Decommissioning Meeting is scheduled for September 27, 2022. It was reported that a gas main was broken along Yawpo Avenue on September 14, 2022. The main has been repaired. It was reported that issues with directional drilling are being resolved with the contractor at the West Oakland Avenue intersection. It was reported that a second public information session on PFOS/PFOA was held on Monday August 29, 2022 at 7:00 p.m. at the Oakland Senior Center. The delivery of a generator for the Soons Well Field Generator Upgrade Project is expected by early 2023. It was reported that the Oakland Water Department will perform hydrant flushing the week of September 19, 2022. Residents may experience a temporary discoloration of their water, along with a possible pressure loss. The Oakland Public Library is hosting several programs in the next few weeks.

**COUNCILMAN TALAMINI:** Councilman Talamini encouraged residents to volunteer for the Public Events Committee. The Annual Halloween Parade and Trick or Trunk will be held on October 29,

2022 at 10:00 a.m. in the Municipal Plaza Parking Lot. Setup is between 8:30 a.m. and 9:30 a.m. Individuals interested in showcasing their classic car as part of the event are encouraged to contact Joseph Inglima via email at [j2a1i7@aol.com](mailto:j2a1i7@aol.com).

**OPEN PUBLIC COMMENT:**

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

**ALL IN FAVOR.**

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

**ALL IN FAVOR.**

**BILLS TO BE PAID:**

On motion of Councilman Slasinski, seconded by Councilman Talamini, 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, Salianni, Slasinski, Talamini**  
                     **Nays:**                    **None**  
                     **Abstain:**                **None**  
                     **(6 ayes – 0 nays – motion carried)**

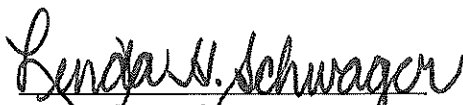
**ADJOURNMENT:**

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

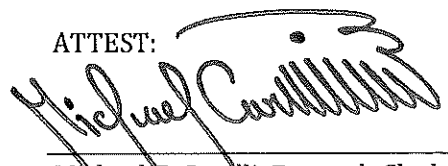
**ALL IN FAVOR.**

Adjourned: 9:15 p.m.

APPROVED BY:

  
Linda H. Schwager, Mayor

ATTEST:

  
Michael E. Carelli, Borough Clerk