

BOROUGH OF OAKLAND
Borough Council Meeting
MEETING MINUTES

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

September 28, 2022 – 7:00 p.m.

MOVE TO EXECUTIVE SESSION:

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

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The public shall be excluded from discussion of action upon the herein after specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Affordable Housing;
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

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

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.

Council President Pat Pignatelli presiding.

ROLL CALL: Present: Councilmembers Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini.

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

Absent: Mayor Linda H. Schwager

On motion of Councilman Talamini, seconded by Councilman Kulmala, Mayor Linda H. Schwager be excused.

SALUTE TO THE FLAG AND MOMENT OF SILENCE

Council President Pignatelli announced that proper notice of this meeting was made as to time, date, place, and agenda.

MAYORS REPORT:

No Mayor's Report.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Victor Pedalino of 52 McNamee Street, Oakland, N.J. 07436 expressed his support for passing an ordinance restricting short-term rentals. Mr. Pedalino expressed that issues with short term rentals in his neighborhood have been going on for years.

Michael Elston of 78 Manito Avenue, Oakland, N.J. 07436 provided examples of municipalities that have passed restrictions on short-term rentals. Mr. Elston encouraged the Governing Body to pass an ordinance restricting short-term rentals.

Andrea Levy of 780 Ramapo Valley Road, Oakland, N.J. 07436 asked the Governing Body on the status of the new lead based paint law and how the property owners are being educated about the new law. Mr. Chewcaskie advised that the Borough is preparing an ordinance for introduction prior to the end of the year. Mr. Kunze advised that the Borough Building Sub Code Official is taking the required courses for the lead based paint inspections certification.

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

ALL IN FAVOR.

PRESENTATION BY BUSH PLAZA PARK AD HOC COMMITTEE:

Kevin Heffernan of 40 Grove Street, Oakland, N.J. 07436 presented updates from the Bush Plaza Park Ad Hoc Committee. Mr. Heffernan provided updated conceptual drawings of the park and expressed the importance of bringing the park to reality. Mr. Heffernan explained that the park will be completed in phases using grants and fundraising efforts. The park will feature a four sided clock, benches, trees, a new flagpole, and landscaping. A fundraising plan with four (4) different donor levels was presented and is being prepared by the Committee for release. There are several sponsorship opportunities available and all potential donors will be reached out to via mail and other means. The hope is to construct Phase 1 in the fall of 2023.

APPROVAL OF MINUTES:

September 14, 2022

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

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

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS:

RECOGNITION OF IRIS PASCUAL FOR ARCHERY SPORTING ACCOMPLISHMENTS:

Council President Pignatelli advised that Ms. Pascual could not make the meeting and will be present at the October 12, 2022 Council Meeting.

APPROVE SOCIAL AFFAIR PERMIT FOR OAKLAND ELKS LODGE #2167 FOR OAKLAND ELKS LODGE TRICKY TRAY ON NOVEMBER 12, 2022:

Councilman Kulmala set forth the motion, seconded by Councilman McCann, to approve the Social Affair Permit.

ALL IN FAVOR.

**RL1434: APPROVE RAFFLE #RL1434 FOR OAKLAND ELKS LODGE #2167 TO
HOLD ON-PREMISE MERCHANDISE DRAW RAFFLE ON NOVEMBER 12,
2022 AT THE OAKLAND ELKS LODGE #2167, 33 RAMAPO VALLEY
ROAD, OAKLAND, N.J. 07436**

Councilman Saliani set forth the motion, seconded by Councilman Talamini, to approve Raffle License #RL1434.

ALL IN FAVOR.

RL1435: APPROVE RAFFLE #RL1435 FOR OAKLAND ELKS LODGE #2167 TO HOLD OFF-PREMISE 50/50 RAFFLE ON NOVEMBER 12, 2022 AT THE OAKLAND ELKS LODGE #2167, 33 RAMAPO VALLEY ROAD, OAKLAND, N.J. 07436

Councilman Saliani set forth the motion, seconded by Councilman Talamini, to approve Raffle License #RL1435.

RL1436: APPROVE RAFFLE #RL1436 FOR INDIAN HILLS PARENTS ATHLETIC COMMITTEE TO HOLD AN ON-PREMISE RAFFLE FOR MERCHANDISE ON OCTOBER 22, 2022 AT 33 RAMAPO VALLEY ROAD, OAKLAND, N.J. 07436

Councilman Saliani set forth the motion, seconded by Councilman Kulmala, to approve Raffle License #RL1436.

ALL IN FAVOR.

RESOLUTIONS – CONSENT AGENDA:

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

22-271: 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 \$305.00; 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 \$305.00 to:

Baisch Family	10 Greene Way, Oakland, N.J. 07436	Soccer	\$240.00
Mann Family	42 Wenonah Avenue, Oakland, N.J. 07436	Soccer	\$65.00

22-272: CONFIRM REAPPOINTMENT OF REGISTRAR OF VITAL STATISTICS

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that Sandra Steele is hereby reappointed Registrar of Vital Statistics of the Borough of Oakland to a three (3) year term that will expire on October 1, 2025.

22-275: AUTHORIZE REFUND OF TAXES

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of Taxes due to overpayment in the total amount of \$13,657.31; 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-01-55-998-002;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$13,657.31 to:

Christine A. Everist	9 Mohawk Avenue, Oakland, N.J. 07436	B 1502 Lot 13	\$2,539.62
James Mattera	231 Ramapo Valley Road, Oakland, N.J. 07436	B 2301 Lot 13	\$2,484.52
Joseph Galasso	62 Long Hill Road, Oakland, N.J. 07436	B 2801 Lot 2	\$4,874.12
Jesusa H. Magdadaro	37 Skytop Ridge, Oakland, N.J. 07436	B 1401 Lot 29	\$3,759.05

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

On motion of Councilman McCann, seconded by Councilman Talamini, Resolution 22-273 and Resolution 22-274 be tabled to the October 12, 2022 Borough Council Meeting.

ROLL CALL: Ayes: Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini
Nays: None
Abstain: None
(6 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 Ordinance No. 22-Code-893 entitled, **“AN ORDINANCE AMENDING CHAPTER 59 OF THE CODE OF THE BOROUGH OF OAKLAND ENTITLED “LAND USE AND ZONING””**

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

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

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday October 26, 2022 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

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

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

ORDINANCE 22-CODE-894

“AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF OAKLAND RELATED TO FEES”

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-894 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 22-Code-894 entitled, **“AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF OAKLAND RELATED TO FEES”**

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

BE IT RESOLVED, that an Ordinance entitled, **“AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF OAKLAND RELATED TO FEES”**, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday October 12, 2022 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

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

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

ORDINANCE 22-CODE-895

“AN ORDINANCE REGARDING FEES RELATED TO THE OAKLAND TELEVISION SPONSORSHIP PROGRAM”

The Borough Clerk was directed to take from the table Ordinance No. 22-Code-895 and read by title for its final hearing.

The Borough Clerk then read by title Ordinance No. 22-Code-895 entitled, **“AN ORDINANCE REGARDING FEES RELATED TO THE OAKLAND TELEVISION SPONSORSHIP PROGRAM”**

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

BE IT RESOLVED, that an Ordinance entitled, **“AN ORDINANCE REGARDING FEES RELATED TO THE OAKLAND TELEVISION SPONSORSHIP PROGRAM”**, be introduced;

That said Ordinance be considered for final adoption at a Borough Council Meeting on Wednesday October 12, 2022 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. at 7:00 p.m.

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

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

WORK SESSION:

Short Term Rentals:

Mr. Chewcaskie advised that the current zoning ordinance permits housing of three (3) boarders in all residential districts. The recommendation is to introduce the ordinance at the next Council Meeting. Exclusions include licensed hotels or parish houses. Mr. Chewcaskie advised that the second ordinance would prohibit short-term rentals. The Borough of Franklin Lakes recently passed an ordinance expanding on short-term rentals to include prohibitions on renting out swimming pools. Mr. McCann read aloud an email from the Police Chief advising that no vehicle thefts to-date in 2022 were correlated to short-term rentals. Mr. Pignatelli suggested that the Governing Body review the short-term rental ordinance and bring forth on work session at the next Council Meeting. Mr. McCann asked if this could be brought forth via a referendum on the ballot. It was advised that zoning ordinances are not eligible for referendum. The Planning Board must review this ordinance prior to final adoption. The Governing Body agreed to act on the boarding house ordinance at the next meeting and to further review the short-term rental ordinance prior to the next Council Meeting.

OLD BUSINESS:

Councilman Talamini asked the status of the Roosevelt Boulevard home demolitions and the acquisitions of homes on Lenape Lane. Mr. Chewcaskie advised that issues are being addressed by the NJDEP and the Borough should be proceeding in the near future. Mr. Kunze advised that a bid would be out this fall for the demolitions.

NEW BUSINESS:

No new business reported.

COUNCIL COMMITTEE AND LIAISON REPORTS:

COUNCILMAN KULMALA: Councilman Kulmala reported that the Sustainable Oakland Green Team held a successful Styrofoam Drive on September 24, 2022. An entire box truck was filled with Styrofoam. The Community Garden received over 100 pounds of food donations for the 2022 growing season. A report from the Police Chief was read aloud. The Recreation Commission is hosting wrestling, basketball, and lacrosse registrations. There is a \$30 late fee. The baseball mum sale is underway at the Dunkin Donuts Parking Lot this weekend.

COUNCILMAN MCCANN: Councilman McCann reported that the 2021 Annual Audit was received and will be reviewed in further prior to the October 12, 2022 Council Meeting.

COUNCILMAN PIGNATELLI: Councilman Pignatelli reminded the public that the next Planning Board Meeting is scheduled for October 13, 2022 at 7:00 p.m. at the Oakland Senior Center, 20 Lawlor Drive, Oakland, N.J. 07436. Discussions will continue on the Hovnanian Development off McCoy Road. The Environmental Commission is preparing formal comments in regards to same.

COUNCILMAN SALIANI: Councilman Saliani advised that the Shade Tree Commission has recommended a resident for appointment at the next Council Meeting. Councilman Saliani advised that the Bergen County Trust Fund has submitted their recommendations for FY22 grant funding and more information is forthcoming.

COUNCILMAN SLASINSKI: Councilman Slasinski reported that the completion date of the Sanitary Sewer Decommissioning Project remains August 24, 2023. Piping work is progressing along Franklin Avenue and is expected to be completed within three (3) weeks. Boswell Engineering is working on bid specifications for the water main improvements along Acorn Street, Birch Avenue, and Florence Avenue. The Oakland Public Library is hosting a mind reading game show on Thursday September 29, 2022. Registration is available on the Oakland Library website. The Oakland Public Library thanked the Oakland DPW for landscape maintenance.

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.

OPEN PUBLIC COMMENT:

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

ALL IN FAVOR.

Andrea Levy of 780 Ramapo Valley Road, Oakland, N.J. 07436 asked if there is anything that can be done for litter along the north end of Ramapo Valley Road. Mr. Kunze advised that the Borough will look into the matter further.

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 McCann, the following bills be submitted for payment:

(See following pages)

BE IT RESOLVED, that the foregoing bills be paid and charged to their respective accounts when the funds are available.

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

ADJOURNMENT:

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

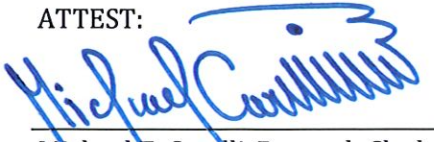
ALL IN FAVOR.

Adjourned: 8:14 p.m.

APPROVED BY:


Linda H. Schwager, Mayor

ATTEST:


Michael E. Carelli, Borough Clerk