



OAKLAND ENVIRONMENTAL COMMISSION
OCTOBER 6, 2020 REGULAR MEETING on ZOOM

Chair:
Alison Fleeson
Vice Chair:
Alex Myers
Commissioners:
Lee Haymon
Nancy Krause
Erich Kamm
Carol Peterson
Elisabeth Ochoa
Vacancy
Vacancy
Council Liaison:
Pasquale Pignatelli
Secretary
Michael Carelli

1. **Meeting called to order** at 7:31 p.m.
2. **Meeting Announcement:** This meeting is being held in accordance with the open public meetings law, duly announced, advertised, and posted in the municipal building.
3. **Roll Call:** Chair Alison Fleeson, Carol Peterson, Erich Kamm, Nancy Krause, Council Liaison Pat Pignatelli, and Secretary Michael Carelli present. Vice Chair Alex Myers, Lee Haymon, and Elisabeth Ochoa absent. Motion by Eric Kamm to excuse Mr. Myers, Mr. Haymon, and Ms. Ochoa and Seconded by Carol Peterson. All in Favor.
4. **Open to the Public:**
 - Motion by Carol Peterson and Seconded by Erich Kamm to open to the public. No members of the public present. Motion to Close made by Nancy Krause and Seconded by Carol Peterson.
5. **Committee Updates:**
 - **Town Council (Councilman Pignatelli):**
 - No Update.
 - **Open Space (Erich Kamm):**
 - Councilman Pignatelli stated that the Borough has not heard back on Sandy Beach.
 - **Pinnacle/Bi-County:**
 - Erich Kamm asked the status of Pinnacle/Bi-County to Councilman Pignatelli. Councilman Pignatelli stated that there has been no action on this at this time.
 - **Roosevelt Riverfront Park:**
 - Secretary Michael Carelli stated that the County of Bergen will be recommending projects to the Bergen County Board of Commissioners and 'Roosevelt Riverfront Park' will be funded at about \$79,000.00. The grant is 50% match and will be done in phases. Further updates to come soon from the Borough Administrator's Office.
6. **Old Business:**
 - **Chicken Ordinance:**
 - Councilman Pignatelli stated that the Oakland Board of Health, Animal Control Officer, Code Enforcement Department, and a representative of the Environmental Commission met on the chicken ordinance. Chair Alison Fleeson provided concerns and questions on the ordinance. A discussion took place on the amount of eggs. Council Liaison Pat Pignatelli stated that there was a discussion on a new chicken advisory board and the proposed board would be dependent on the amount of people that apply for a permit. As discussed in the chicken meeting, the Animal Control Officer knew of only 20 people that have chickens in Oakland, NJ. Carol Peterson and Alison Fleeson spoke to a lady named Gwen who is a chicken ordinance consultant in South Jersey, and she advised that an Advisory Board would be the first stop for someone who would want to own chickens in Oakland. The Advisory Board would be comprised of chicken owners and they would help out with the permit process. Alison Fleeson stated that she sent a notice to chicken owners in town via email and social media to review the ordinance 'as is' and there was a response from those residents with concerns and questions on the ordinance 'as is'. Councilman Pignatelli expressed

concerns about only hearing from residents who are in favor of chickens and that the Board of Health must hear from the opposing points of view. Councilman Pignatelli added that members of the Board of Health might require a notice requirement based on distance between neighbors. Carol Peterson stated that there are duck, pigeon, and quail owners in Oakland, and they are already in the community. Carol Peterson asked how many complaints there have been against chickens and other fowl, and Councilman Pignatelli stated there have been no complaints to date. There was a discussion on why the Borough is singling out certain animal owners and why there are such restrictive laws being proposed.

- Councilman Pignatelli stated that the reason the Borough is addressing the chicken ordinance is because someone brought forth the issue to the Borough Council. Chair Alison Fleeson added that an Oakland resident asked that an ordinance more reflect the property sizes in Oakland. Councilman Pignatelli stated that he serves as the Liaison to the Board of Health and is not the lead on the chicken ordinance. Erich Kamm asked about health concerns and chickens. Councilman Pignatelli expressed that the Board of Health does not want rodent issues, and wants to educate the public on the process. Chair Alison Fleeson discussed the proposed chicken advisory board further. Councilman Pignatelli stated that the next Board of Health Meeting is October 20th at 7:30 p.m. on Zoom. The meeting details will be posted on the Borough website homepage. Councilman Pignatelli added that he served as a Health Inspector for many years and these ordinances are difficult to write due to different circumstances. Councilman Pignatelli stated that there will be no grandfathering of the law prior to a chicken enforcement ordinance being passed and enforced. Chair Alison Fleeson questioned what the consequences are if someone doesn't get a permit under this proposed ordinance. Councilman Pignatelli stated he had to check in on this further.
- Chair Alison Fleeson added that the way the ordinance is written, waste has to be disposed of once a week by a certified waste removal company. Alison Fleeson also added that the Environmental Commission would like to see composting incorporated into the ordinance. Composting needs to be done properly. Composting improperly would create odors per Councilman Pignatelli. Councilman Pignatelli added that the Borough Council is the ultimate authority, and added that he is in favor of composting, and needs to educate himself further on the matter. Erich Kamm asked if there was no ordinance, what law governs chickens and other related public health matters. Councilman Pignatelli added that there is the NJ Public Health Nuisance Law. That code may be used for sounds, odors, particle trespassing, etc. Erich Kamm questioned why neighbors should be notified of chickens, and voices concerns that a neighbor would be a deciding factor into whether or not a resident has chickens. Chair Alison Fleeson and Carol Peterson added that they are opposed to the ordinance as is. Councilman Pignatelli added that there will be a public hearing for the adoption of the ordinance before the Borough Council at a future meeting. Councilman Pignatelli is in favor of guidelines to be adopted clearly for residents to follow. Councilman Pignatelli added that the Council did not take any action on this 2 years ago, and the only reason it was brought forth again was because individuals brought the issues before the Governing Body again. Chair Alison Fleeson stated that the Board of Health will be addressing this on October 20th, and then if there are no changes, it would go before the Council at the next meeting. Erich Kamm added that the Commission has a role in this topic. Councilman Pignatelli added that if the Commission needs more time, they can request an extension to the

Board of Health. Chair Alison Fleeson will share the comments and materials for the chicken ordinance. A chicken ordinance subcommittee as part of the Environmental Commission was discussed.

- **Sewage Treatment Plants:**

- Chair Alison Fleeson discussed the ongoing sewer decommissioning project and why the Environmental Commission has not weighed in on this yet. Richard Kunze, Oakland's Borough Administrator has been invited to the next Environmental Commission Meeting in November. The Sewer Meeting which was held on September 30th, is available for viewing on the Borough's YouTube Page. The ongoing issue amongst the residents is the financing end of the project. Councilman Pignatelli added that Councilman John Biale is the Chair of the Water and Sewer Committee and is knowledgeable as he has attended various meetings in Trenton. Nancy Krause added that she spoke to Lee Haymon and would like to know who has been in charge of the testing and facility operations. Councilman Pignatelli added that the Borough had a gentlemen who was in charge of this, and that person was not submitting the proper reports at the time. This gentlemen is now retired from the Borough. Carol Peterson asked if insurance covered this and what the oversight was. Chair Alison Fleeson asked about contamination and lasting effects of the sewage backups, and what type of remediation needs to be done throughout the Borough. Chair Alison Fleeson wanted the Commission to be aware of this, and looks forward to inviting the Borough Administrator to the next meeting.

7. **New Business:**

- **Newspaper Waste/Suburban News:**

- Chair Alison Fleeson asked Councilman Pignatelli why this was brought forth. Councilman Pignatelli added that Councilman Grant Van Eck has received complaints on the suburban newspaper littering papers throughout town, even when opting out of the newspaper, and would like to know if the Environmental Commission has any recommendations or suggestions to mitigate this issue. Chair Alison Fleeson asked if tickets were being issued to the newspaper company for littering. The individual property owners would have to be ticketed. Nancy Krause asked if residents have called Suburban News for an opt out, and in the winter the issue is far worse due to the snowfall and plowing. Chair Alison Fleeson suggested a media campaign to promote people to clear up their garbage. Michael Carelli added that perhaps we use Reverse 911 or include in the Borough Newsletter. Nancy Krause added that she will provide to Michael wording for a flier or announcement. Carol Peterson suggested bringing this before the Bergen County Board of Commissioners. Councilman Pignatelli will ask the Borough Attorney on this matter and what the Borough can do in regards to fines for littering. Nancy Krause added that she will do further research on the topic.

8. **Planning Board/Board of Adjustment Update:**

- **Current Projects (Lee Haymon):**

- No report.

- **Review Plans:**

- The Environmental Commission has received (9) nine sets of plans from the Planning Board. They have yet to be reviewed.

9. **Budget Status:**

- A discussion took place on the battery collection program. Secretary Michael Carelli added that the program has been highly successful, and has been collected two (2) times.

Chair Alison Fleeson asked if the Environmental Commission would consider adding funding for the Styrofoam and plastic film collection into the 2021 budget request. The company that the Borough uses for transport of materials is now charging municipalities. Chair Alison Fleeson stated that the Borough does not want to pay the \$85 fee per load for the hauling of the materials to Haskell, NJ. Having the Styrofoam and film added to the tonnage is more expensive than hauling the materials offsite. The program has been popular and the Environmental Commission would like to find a resolve to this. Chair Alison Fleeson asked the Commissioners to think about adding this to the 2021 Environmental Commission budget. Carol Peterson added that the Sustainable Oakland Green Team has never received a budget. Erich Kamm asked the volume of the materials. Alison Fleeson added that the bins are filled almost daily and that the Borough's Recycling Coordinator has been storing the materials in the First Aid Squad Shed due to excess. There was a discussion on having both bins used for Styrofoam only. There was a discussion on the Englewood buy-in for hauling. Carol Peterson added that Glen Rock had 2 dumpsters filled with materials from a previous collection day, and the Borough of Glen Rock paid for it.

10. Close Meeting:

- Motion to close by Erich Kamm and Seconded by Carol Peterson. All in Favor.

11. Meeting Adjourned at 9:01 p.m.

Next Meeting Tuesday November 10, 2020 at 7:30 p.m. on Zoom Video Conferencing

Respectfully Submitted,

Michael Carelli
Secretary