

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY MARCH 9, 2022

MEETING CALLED TO ORDER: By Mayor Linda H. Schwager at 7:30 P.M.

ROLL CALL: Mayor Linda H. Schwager called the meeting to order and the Borough Clerk called the roll. Present: Mayor Linda H. Schwager, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck. Also Present: Michael Carelli, Deputy Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; David Young, Chief Financial Officer; John Yakimik, Borough Engineer.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced that this meeting is being held in accordance with the Open Public Meetings Law, duly announced, advertised and posted in the Municipal Building. The meeting will adjourn at 10:00 pm unless a majority of the Councilmembers that are present vote to extend the time.

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MAYOR'S REPORT:

Mayor Linda H. Schwager offered solidarity with the people of Ukraine and encouraged residents to beware of recent scams. Mayor Schwager read aloud an article from the Bergen Daily Record.

OPENED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

Michael Guadagnino, 34 Hopper Street, commented on the ongoing Oakland Recreation Tennis Court Improvements Project. Mr. Guadagnino offered support of the Borough Administrator's financing plan and thanked Councilman Grant Van Eck for his hard work and dedication to the project. Mr. Guadagnino added that Recreation does not support the fee proposal from Boswell Engineering and encouraged the Borough to bid out for engineering services.

Jodi Goffredo, 44 Souix Avenue, Deb Mutterer, 101 Walnut Street, Filomena Laforgia, 54 Saratoga Drive, all in attendance on behalf of the Oakland Access for All Committee thanked the Mayor and Borough Council for their support and encouragement. The Access for All Committee met last week and was joined by the Township of Mahwah's Access for All Committee. The Committee is planning for ideas and activities for this year, and encouraged the Borough Council to provide funds for such.

Todd Horn, 82 Manito Avenue, commented on the American Flags at the Van Allen House, Bush Plaza, Veterans Park, and other Borough locations. It was suggested that the flags be properly illuminated. The Borough Administrator will ensure that the flags are properly illuminated.

CLOSED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

APPROVAL OF MINUTES: FEBRUARY 23, 2022

On motion of Councilman Saliani, seconded by Councilman Van Eck, the minutes from the Mayor and Council meeting of February 23, 2022 be approved.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck. Abstained, Talamini.

APPROVAL OF MINUTES: EXECUTIVE SESSION FEBRUARY 23, 2022

On motion of Councilman Van Eck, seconded by Councilman Talamini, the Executive Session Minutes from the Mayor and Council meeting of February 23, 2022 be approved.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck. Abstained, Talamini.

APPOINTMENT: FLOOD COMMISSION

Mayor Schwager brought forth the nomination of Anthony Smid for reappointment to a three-year term on the Flood Commission.

Motion to Consent:

On motion of Councilman Saliani, seconded by Councilman Kulmala, the Council consented to the appointment of Anthony Smid to the Oakland Flood Commission for a three-year term to expire December 31, 2024.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

APPROVE RAFFLE LICENSE RL1421

On motion of Councilman Pignatelli, seconded by Councilman Van Eck, approval be granted for Raffle License RL1421 for Oakland Franklin Lakes Rotary Club to hold an off-premise 50/50 raffle on September 27, 2022 at Portobello, 155 Ramapo Valley Road, Oakland, N.J. 07436.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

## BUDGET PRESENTATION:

Borough Administrator Richard Kunze and Chief Financial Officer David Young led the 2022 Budget Presentation. Borough Administrator Richard Kunze began the presentation by laying out objectives such as keeping a 2% or less municipal tax increase, transitioning capital expenditures from debt service to pay as you go, and to minimize appropriations through process improvements, vendor management, and shared services. Mr. Kunze added that the Borough was ordered to complete a reassessment in 2020. The 2022 total assessed property value increased by 33.2% and residential property values increased by 29.9%. In addition, the percentage of the tax levy being supported by residents is down 2%. Mr. Kunze explained that the average assessed home is up 29.9%. Mr. Kunze added that budget appropriations from Department Heads were due in fall of 2021, and reviews were conducted in the winter of 2021-2022. Mr. Kunze added that salaries and wages are up 2.4%, due to 2 new hires replacing retirees, 9 promotions, and 2 new positions of Commission Secretaries. Councilman Grant Van Eck expressed disappointment over one of the proposed Commission secretary roles. Chief Financial Officer David Young added that operating expenses are up 6.5%, which includes increases in solid waste, utilities, insurance, PERS, reassessment, social security, snow removals, and sale of properties. Mr. Kunze added that the Borough is utilizing the American Rescue Plan funding to offset costs of the 2022 Road Program. The proposed Capital Plan was presented which includes projects such as IT upgrades, fire apparatus partial funding, and vehicle replacements. Mr. Young added that anticipated revenues are up \$250,000 from 2021, due to increases in recreation and court fines, and the sale of assets. Mr. Kunze added that the Library tax portion is mandated by the State. In conclusion, Mr. Kunze added that budget impact on the average assessed home is \$61.74 per home for the municipal portion of the taxes. The total tax increase is yet to be determined as figures are yet to be set by the local and regional schools. Mr. Kunze laid out the next steps which includes budget introduction at the March 23, 2022 Borough Council Meeting, a final review of the Capital Plan in March and April, and budget adoption and final hearing at the April 27, 2022 Borough Council Meeting. The Budget Presentation document is available for viewing on the Borough website, [www.oakland-nj.org](http://www.oakland-nj.org).

## RESOLUTION 22-95 AUTHORIZE PROMOTION – SANDRA STEELE

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the recommendation of the Board of Health President and the Borough Administrator, hereby approve the following promotional recommendation and salary increase effective March 10, 2022:

Sandra Steele, from Clerk 2 to Clerk 3, annual salary \$ 53,187

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

RESOLUTION 22-96 AUTHORIZE GRANT SUBMITTAL TO AARP COMMUNITY CHALLENGE GRANTS PROGRAM FOR OAKLAND SENIOR CENTER IMPROVEMENTS  
On motion of Councilman Van Eck, seconded by Councilman Saliani, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland wishes to upgrade the patio at the Senior Citizens Center;  
and

WHEREAS, AARP has a funding program available through their 2022 AARP Community Challenge Grants Program; and

WHEREAS, the Borough of Oakland wishes to submit an application in the amount of \$ 12, 710 to help fund the Senior Center Patio upgrade project;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the grant submittal for the 2022 AARP Community Challenge Grants Program.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

RESOLUTION 22-97 URGE PASSAGE OF S-330 TO RESTORE ENERGY TAX RECEIPTS  
On motion of Councilman Van Eck, seconded by Councilman Kulmala, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Oakland in the county of Bergen urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Governor Murphy, Senator Schepisi, Assemblyman Auth, Assemblywoman DeFuccio, Senate President Scutari, Assembly Speaker Coughlin, and the League of Municipalities.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-98 CANCEL GRANT BALANCES

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

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:

Account Description Authorization Balance to Cancel:

• G-02-20-714-014	2020 Roots 4 Rivers - Receivable	\$ 24.78
• G-02-20-003-001	2020 Roots for Rivers Roosevelt	\$ 24.78
• G-02-19-728-101	2019 Roots 4 Rivers - Receivable	\$ 152.52
• G-02-19-003-001	2019 Roots for Rivers Roosevelt	\$ 152.52
• G-02-04-705-012	BMED-Wellness – Receivable 2020	\$ 5798.00
• G-02-19-003-111	BMED-Employee Wellness Program 2020	\$ 5798.00
• G-02-04-705-002	BMED-Wellness – Receivable	\$ 1795.98
• G-02-19-003-101	BMED-Employee Wellness Program	\$ 1795.98

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-99 AUTHORIZE GRANT APPLICATION CDBG-CV PHASE III SENIOR CENTER AV SYSTEM UPGRADES PHASE II

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

WHEREAS, a Bergen County Community Development Block Grant totaling \$54,000.00 has been proposed by the Borough of Oakland for the Oakland Senior Center COVID-19 Phase III Upgrades 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 by the Governing Body; and

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director, Bergen County Division of Community Development, One Bergen County Plaza, 4th Floor, Hackensack, N.J. 07601) so that implementation of the project may be expedited.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-100 AUTHORIZE CONTRACT FOR ENGINEERING SERVICES FOR OAKLAND TENNIS COURT REHABILITATION PROJECT

Discussion ensued as Councilman Van Eck added that he approached Boswell Engineering to waive or reduce the proposal fees, which was denied. Councilman Talamini added that he understands the procurement process, but the matter should have been conducted more professionally.

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

WHEREAS, there is a need for engineering services associated with the preparation of the design for the creation of Pickleball and improvements to the Oakland Tennis Courts; and

WHEREAS, Boswell Engineering has submitted a proposal dated February 28, 2022 for the engineering services required at a total not to exceed cost of \$24,100.00 broken down as follows:

Task 1: Preparation of Contract Documents	\$9,900.00
Task 2: Construction Inspection:	\$14,200.00

WHEREAS, the Chief Financial Officer has certified funds are available in account # T-13-56-286-202;

WHEREAS, Boswell 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, the award of the contract is for professional services for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, hereby authorizes Boswell Engineering to perform engineering services for the creation of Pickleball and improvements to the Oakland Tennis Courts at a cost not to exceed \$24,100.00; and

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

ROLL CALL: All nays, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-101 AWARD BID FOR SEWER TREATMENT PLANT DECOMMISSIONING PROJECT

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

WHEREAS, on December 7, 2021, the Borough of Oakland received five (5) bids for the Sewer Treatment Plants Decommissioning Project; and

WHEREAS, Pacific Construction, 532 Route 22 East, Whitehouse Station, NJ 08889 had the lowest responsive and responsible bid with a Base bid price of \$ 5,531,500.00 and Alternate Bid A price of \$ 74,000.00 for a total bid price of \$ 5,605,500.00; and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and have recommended acceptance of the bid from Pacific Construction; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account C-08-56-817-300;

NOW, THEREFORE, BE IT RESOLVED that the bid of Pacific Construction in the total amount of \$ 5,605,500.00 be accepted; and

BE IT FURTHER RESOLVED, that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-102 MEMORIAL DAY

Discussion ensued on the membership of the American Legion. Councilman Pignatelli added that the American Legion is suffering from lack of membership and currently offers a lot to the community in addition to the Memorial Day Parade. Councilman Pignatelli commended Post Commander Ronald Beattie on his many years of service to the Borough in organizing the Memorial Day Parade. On motion of Councilman Pignatelli, seconded by Councilman Van Eck, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has hosted a Memorial Day Parade and ceremony for many decades; and

WHEREAS, the parade and ceremony has been organized by American Legion Post 369 of Oakland, New Jersey; and

WHEREAS, in conjunction with American Legion Post 369, the Borough has provided logistical support for the conduct of the parade; and

WHEREAS, American Legion Post 369 has advised the Borough that it can no longer organize the Memorial Day Parade but will continue to hold a ceremony in Vets Park and Ponds Cemetery; and

WHEREAS, the Borough Oakland has agreed to assume responsibility for the organization of a Memorial Day Parade subject to availability of police and other municipal services; and

WHEREAS, American Legion Post 369 has done a stellar job in organizing and hosting the Memorial Day Parade;

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

- The organization of the Memorial Day Parade shall be assumed by the Borough and subject to the availability of appropriate municipal services, including police;
- The Borough of Oakland sincerely thanks American Legion Post 369 of Oakland for its dedication and services to the community and it will be the responsibility of the American Legion Post 369 to select the Grand Marshall for the Memorial Day Parade; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to American Legion Post 369.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-103 REFUND TAXES DUE TO DUPLICATE PAYMENT BLOCK 5301 LOT 5

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

WHEREAS, the Borough of Oakland has received a request from Bryan & Sultana Fernandez, Oakland, NJ for a refund of taxes due to an overpayment; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

5301/5                      720 Ramapo Valley Rd.                      \$ 3,507.48

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### RESOLUTION 22-104 RESOLUTION IN SUPPORT OF UKRAINE

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



WHEREAS, on January 21, 1990, more than 300,000 Ukrainians called for unity and independence from the Soviet Union by forming a human chain between the cities of Kyiv and Ivano-Frankivsk; and

WHEREAS, on December 1, 1991, more than 90 percent of Ukrainian citizens voted in a national referendum in support of independence, with majorities in every region; and

WHEREAS, the Russian military conducted a large-scale buildup in and around Ukraine in March and April 2021 under the guise of military exercises, leaving significant military equipment behind; and

WHEREAS, the Russian military initiated its most recent much larger military buildup in October 2021 that culminated in approximately 190,000 forces by the time of Russia's renewed full-scale incursion on February 24, 2022; and

WHEREAS, on February 21, 2022, the State Duma of Russia passed a bill, approved by President Vladimir Putin, to officially recognize the self-proclaimed Luhansk People's Republic and Donetsk People's Republic as independent; and

WHEREAS, on February 21, 2022, Vladimir Putin ordered Russian troops into the self-proclaimed Luhansk People's Republic and Donetsk People's Republic after recognizing their independence; and

WHEREAS, on February 24, 2022, Russian forces, enabled by Belarus, launched its unprovoked full-scale renewed invasion of a peaceful, independent country, Ukraine; and

WHEREAS, it is the right of all countries to decide their own future, foreign policy, and security arrangements free from outside interference or coercion; and

WHEREAS, on February 24, 2022, the G7 issued a statement condemning the "large-scale military aggression by the Russian Federation against the territorial integrity, sovereignty and independence of Ukraine"; and

WHEREAS, on February 25, 2022, the North Atlantic Treaty Organization condemned "in the strongest possible terms Russia's horrifying attack on Ukraine", called on Russia "to turn back from the path of violence and aggression", and reaffirmed an "iron-clad" commitment to Article 5; and

WHEREAS, the European Commission, France, Germany, Italy, the United Kingdom, and Canada along with the United States, committed to coordinated economic sanctions, including severe restrictions, against Russia's Central Bank and full blocking sanctions against Vladimir Putin; and

WHEREAS, United States leadership is integral to nations around the world in condemning and imposing costs on the Russian Federation for its illegal, full-scale, renewed invasion; and

WHEREAS, Russian forces have targeted civilians and have committed war crimes and crimes against humanity; and

WHEREAS, the United States, along with allies in Europe, the Indo-Pacific, and others around the world, has been actively responding to Russia's unprovoked war of aggression against Ukraine with critical military, humanitarian, and financial support for Ukraine and the Ukrainian people; and

WHEREAS, the state of NJ has nearly 75,000 persons of Ukrainian descent many of whom are located in neighboring communities in Northern New Jersey; and

WHEREAS, the Borough of Oakland also has residents of Ukrainian descent.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that it:

- Unequivocally supports Ukraine's sovereignty and territorial integrity;
- Affirms the continued use of peaceful methods including sanctions by the United States (as well as its allies and partners) to fully isolate the Putin regime economically for its unprovoked aggression against Ukraine;
- Supports resistance by the Ukrainian people as long as the Russian Federation continues to violate Ukraine's sovereignty and territorial integrity;
- Declares that the war in Ukraine, a democratic country, represents the frontline of democracy and freedom versus authoritarianism represented by Putin's Russia;
- Supports the state of New Jersey's suspension of relationships with businesses and financial institutions backed by the Russian government; and
- Stands steadfastly, staunchly, proudly, and fervently behind the Ukrainian people in their fight against the authoritarian Putin regime.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Talamini, Van Eck.

#### INTRODUCTION 22-CODE-878 AUTHORIZE ACQUISITION OF PROPERTY FOR EASEMENT

The Borough Clerk was directed to take from table Ordinance No. 22-Code-878 and read by title for its first reading.

The Borough Clerk then read by title Ordinance No. 22-Code-878 entitled: "AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF A PORTION OF PRIVATE PROPERTY LOCATED AT 609 RAMAPO VALLEY ROAD, FOR PUBLIC PURPOSES AND AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS."

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

WHEREAS, the Borough of Oakland wishes to obtain a portion of private property at 609 Ramapo Valley Road, also known as Block 1301, Lots 8, which is necessary for public purposes; and

WHEREAS, the Borough has engaged an appraiser and has/will make an offer to the property owner for the purchase of the portion of the property, in accordance with

statutory requirements; and

WHEREAS, by separate funding devices, the Borough has/will appropriate the sum of Thirteen Thousand Seven Hundred Dollars (\$13,700), which represents the estimated compensation for the acquisition; and

WHEREAS, in the event the offer of compensation is not acceptable, it will be necessary for the Borough to initiate condemnation proceedings.

NOW, THEREFORE, be it ordained by the Mayor and Council of the Borough of Oakland that:

Section 1. The Mayor and Council does hereby determine that it is necessary to acquire a portion of the property located at 609 Ramapo Valley Road for public purposes.

Section 2. The Borough hereby authorizes the acquisition of the portion of the property known as 609 Ramapo Valley Road, also known as Block 1301, Lots 8 by condemnation for the purpose of acquiring approximately 3,615 square feet (.083 acres) of private property.

Section 3. The Borough is hereby authorized to institute proceedings pursuant to the provisions of the Eminent Domain Act, N.J.S.A. 20:3-1, et seq., for the purposes of acquiring title to a portion of the land described herein as Block 1301, Lot 8.

Section 4. The estimated Thirteen Thousand Seven Hundred Dollars (\$13,700) compensation to be paid for the acquisition of the property as described herein is available by virtue of a separate funding or within the budget adopted by the Borough. In accordance with the provisions of N.J.S.A. 20:3-18, the estimated compensation for the taking of private property, if rejected by the property owner, shall be deposited by the Borough with the Clerk of the Superior Court upon the filing of any Declaration of Taking, pursuant to N.J.S.A. 20:3-17

Section 5. The Mayor and/or the Borough Clerk, be and they are hereby authorized and directed to execute the appropriate Verified Complaint, Declaration of Taking and such other documents which may be necessary in order to institute condemnation proceedings and seek a determination by the Court that the Borough is duly empowered with the authority to acquire the land herein described for public purposes.

Section 6. If any article, section, sub-section, sentence, clause, or phrase of this ordinance is for any reason deemed to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

Section 7. This Ordinance shall take effect upon the publication as required by law.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

## FINAL ADOPTION: 22-CODE-877 AMEND SECTION 59-9 “APPEALS” -CARRIED

The final adoption of 22-CODE-877 was carried to the next Mayor and Borough Council Meeting on Wednesday March 23, 2022.

### WORK SESSION:

#### ORDINANCE WATER SERVICE FOR FANALE PROPERTY

Borough Attorney Brian Chewcaskie advised that the proposed ordinance authorizes Suez to run the necessary infrastructure for the Fanale property. Hearing no objections, introduction will be on the next Borough Council Meeting agenda.

### TEMPORARY CCO

Borough Administrator Richard Kunze advised that the current Borough code does not have a mechanism for issuing temporary continued certificates of occupancy, and that this proposed ordinance would address such. Mayor Schwager added that homebuyers would not be able to occupy the premises until the failed septic system is replaced, but allows for the closing. Councilman Pignatelli added that the Board of Health does not require a new septic system with the sale of a house. The current code states that you cannot close until the CCO is issued. This proposed plan will provide relief to homebuyers. Councilman Pignatelli added that the CCO states that everything has been completed by law and the work has been done. Borough Attorney Brian Chewcaskie added that it is very difficult to evict a buyer within the current code if the septic work is not completed. Councilman Talamini questioned the 90-day timeline and if it was satisfactory. Councilman Van Eck suggested to put this back on work session as he needs more information. Councilman Van Eck expressed concerns over the proposal. Mayor Schwager added that closing are delayed due to the septic issues. Councilman Kulmala asked if any other municipalities have this process. Mayor Schwager concluded that she will follow up with surrounding Mayors.

### AMEND RECREATION FEE SCHEDULES

Borough Administrator Richard Kunze introduced the amended recreation fee schedule as prepared by Recreation Treasurer Neil Malmud. Councilman Van Eck thanked the Recreation Commission for their hard work on the fee proposals. This is scheduled for ordinance introduction at the next Borough Council Meeting on March 23, 2022.

### NEW BUSINESS:

### OLD BUSINESS:

Councilman Pignatelli suggested that a Traffic Meeting be finalized in the near future.

Councilman Van Eck expressed concerns about the pending plastic bag ban in May 2022. Councilman Van Eck suggested that the Borough reach out to local businesses more and publicize the date online. Councilman Pignatelli offered alternatives for businesses and residents and suggested more outreach on the Borough LED sign. Councilman Kulmala added that the Sustainable Oakland Green Team has been informing businesses for the last few months.

### COUNCIL REPORTS:

Councilman Kulmala: Councilman Kulmala reported that there was an OEM Meeting last week to discuss COVID-19 and Hurricane Ida recovery. Councilman Kulmala added that a Public Safety Meeting was held to discuss projects and initiatives for 2022. Councilman Kulmala shared a touching story from his neighbor who was dramatically affected by the situation in Ukraine. Councilman Kulmala added that Patriot's Way Bridge remains safe for pedestrian and vehicular traffic. The cost estimate for the superstructure replacement remains \$5.66 million.

Councilman Pignatelli: Councilman Pignatelli reported that the Oakland Environmental Commission is hosting a Borough wide clean up on Saturday April 30, 2022 from 9 a.m. – 12 p.m. Further details about the event will be on the Borough website and social media pages. Councilman Pignatelli reported that a Household Hazardous Waste Collection will be held on Saturday March 12, 2022 from 9 a.m. – 1 p.m. at the Bergen County Utilities Authority in Moonachie.

Councilman Saliani: Councilman Saliani reported that the Station Park Ad-Hoc Committee held their first meeting to create a grant application to fund improvements at Bush Plaza. A follow up meeting has been scheduled for two weeks. Councilman Saliani reported that the Shade Tree Commission is hosting an Arbor Day Celebration at the Oakland Senior Center in April. Tree saplings will be handed out as well. Councilman Saliani reported that the Borough Shredding Day Collection will be on Saturday May 14, 2022 at the Oakland Borough Hall.

Councilman Slasinski: Councilman Slasinski reported that the water main work at Grandview and Mountainview is scheduled to be completed soon. Councilman Slasinski added that on March 15, 2022, the Oakland Public Library's 'Library of Things' goes live. This new collection of useful items will allow Oakland Public Library cardholders to borrow things they might otherwise have to purchase but only need intermittently, or to try out a product before they decide to buy one. This collection includes, but is not limited to, a 17' outdoor projection screen, an indoor/outdoor projector, a GoPro camera, a metal detector, a thermal camera, a sewing machine, video game consoles, a VCR, and more. Items will continue to be added to the collection, and we invite all residents of Oakland to take advantage of what we have to offer? Don't have a library card? Stop by the library today and start borrowing. A link to the Library of Things will be on the library's homepage, <http://www.oaklandnjlibrary.org>.

Councilman Talamini: Councilman Talamini reported that the Oakland Public Events Committee is meeting on Monday March 14, 2022 at the Oakland Senior Center and is seeking new members. Councilman Talamini thanked Oakland Recreation for a great winter sports season.

Councilman Van Eck: Councilman Van Eck reported that Access for All Committee is meeting in early April to discuss projects. It was reported that Recreation registrations remain open on [www.oaklandrec.org](http://www.oaklandrec.org). The baseball and softball parade is on Saturday June 4, 2022 at 9:00 a.m. Councilman Van Eck added that there was no quorum for the OCC meeting, and TV sponsorships are pending further discussions. Councilman Van Eck added that the Borough is working on more content for social media. Councilman Van Eck concluded that water collections are \$38,000 below from 2021.

#### OPENED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

Filomena Laforgia, 54 Saratoga Drive, suggested that the American Legion look into the cost of the chairs in the banquet room as they may be worth a lot of money due to their antique condition.

Deb Mutterer, 101 Walnut Street, suggested that the Borough hold more activities for children such as outdoor movies and non-sporting activities. Ms. Mutterer suggested revitalizing the Oakland Skate Park in Great Oak Park as well. The Council agreed to look into more events for youth.

CLOSED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

BILLS TO BE PAID:

On motion of Councilman Van Eck, 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: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the meeting be adjourned at 9:43 p.m.

ROLL CALL: All yeas, Councilmembers Kulmala, Pignatelli, Saliani, Slasinski, Van Eck.

*Michael Carelli*

*Linda H. Schwager*

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Michael Carelli, Deputy Borough Clerk  
March 23, 2022

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Mayor Linda H. Schwager

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Date Approved