

December 8, 2021

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY DECEMBER 8, 2021

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Biale, seconded by Councilman Kulmala, 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 hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Personnel
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: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

Discussion ensued over personnel and litigation. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Slasinski, seconded by Councilman Pignatelli, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

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MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Kulmala, Pignatelli, Slasinski. Absent: Councilmembers Talamini, Van Eck. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; 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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EXCUSE ABSENCES:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the absences of Councilman Talamini and Councilman Van Eck be excused.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

MAYOR'S REPORT:

Mayor Schwager thanked the Public Events Committee. They decorated the Borough of Oakland's tree at Winter Wonderland at Van Saun Park. The Committee held the Tree & Menorah Lighting on Sunday and it was a wonderful event. Mayor Schwager thanked the DPW for all their help with the event.

OPENED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

Joseph Adamo, 93 McNomee Street, spoke about the proposed group home on Hickory Drive. He stated that there is also going to be a group home on Yawpo and asked if there is a Borough or State limitation on the number of homes near each other. Borough Attorney Chewcaskie advised there are no limitations, Under the Municipal Land Use Law, these group homes are permitted in all residential zones. The homes would have to be registered. He stated there have been a lot more homes in the surrounding towns. This developer came before the Council for them to endorse their funding request. Mr. Kunze advised that the Council asked the developer to notify the residents within 200 feet which he did. Councilman Pignatelli advised they would still have to go before the Board for a site plan review. Mayor Schwager advised that the Council did not do anything about the property on Hickory. Councilman Kulmala asked if a meeting could be facilitated between the developer and residents. Mr. Adamo asked what the procedure will be. Mayor Schwager advised that the developer came to the Mayor and Council to endorse their funding application with the County and the Council didn't act on it yet.

Mr. Malloy, 21 Hickory, is not against group homes but he is against one in his neighborhood. He doesn't think this facility belongs on Hickory. He stated there will be 24/7 activity. Mr.

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Chewcaskie responded that is speculation. There would have to be an application to the Board of Adjustment and the information will be disclosed. The Governing Body can only endorse the funding request.

Todd Horn, 82 Manito Ave, asked if it is true that the group home won't pay taxes. Mr. Chewcaskie responded if they are a non-profit group, they can apply for tax exemption. If the taxes are removed from the rolls, they will be spread out among all other taxpayers.

**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 Biale, Kulmala, Pignatelli, Slasinski.

**APPROVAL OF MINUTES: NOVEMBER 23, 2021**

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council meeting of November 23, 2021 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**APPROVAL OF MINUTES: NOVEMBER 23, 2021 EXECUTIVE**

On motion of Councilman Pignatelli, seconded by Councilman Biale, the minutes from the Mayor and Council Executive Session of November 23, 2021 be approved.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**RESOLUTION 21-330 AUTHORIZE AREA IN NEED OF REHABILITATION STUDY**

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

WHEREAS, the Borough of Oakland requires an Area in Need of Rehabilitation Study for the area along Ramapo Valley Road between Franklin Avenue and Oak Street; and

WHEREAS, the Mayor and Council believes this would be best accomplished by retaining the services of Burgis Associates, Inc.; and

WHEREAS, the Mayor and Council would like to retain the services of Burgis Associates, Inc. pursuant to its proposal dated November 16, 2021 attached hereto for the services necessary to prepare the Area in Need of Rehabilitation Study with an amount not to exceed the sum of \$11,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that the Borough hereby authorizes the Mayor to execute an Agreement between the Borough and Burgis Associates, Inc. at the rates set forth in the proposal submitted by Burgis Associates, Inc. dated November 16, 2021 not to exceed the total sum of \$11,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified the existence of current funds for the payment for the services to be rendered in Account # 1-01-20-110-044; and

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BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized and directed to maintain a copy of the Agreement in her offices for public inspection, pursuant to law.

Councilman Biale stated that usually an area in need of rehabilitation is a blighted urban area. He doesn't think our area is going to fit the criteria. Councilman Pignatelli advised he read two articles recently about towns that are doing this.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**RESOLUTION 21-331 AUTHORIZE CONSTRUCTION INSPECTION-DOTY ROAD AND LAKEVIEW TERRACE WATER MAIN IMPROVEMENTS**

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

WHEREAS, the Borough of Oakland has awarded a bid for the Doty Road and Lakeview Terrace Water Main Improvements Project; and

WHEREAS, the Borough of Oakland is in need of engineering services for the construction inspection phase of the project; and

WHEREAS, Boswell Engineering has submitted a proposal November 15, 2021, and the fee for the construction inspection` phase is not to exceed \$ 34,500; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-06-56-833-402; 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 Council hereby authorize Boswell Engineering to perform the construction inspection for the Doty Road and Lakeview Terrace Water Main Improvements Project at a cost not to exceed \$ 34,500; and

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**RESOLUTION 21-332 AUTHORIZE CONSTRUCTION INSPECTION-GRANDVIEW AND MOUNTAINVIEW AVE. WATER MAIN IMPROVEMENTS**

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

WHEREAS, the Borough of Oakland has awarded a bid for the Grandview and Mountain Ave. Water Main Improvements Project; and

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WHEREAS, the Borough of Oakland is in need of engineering services for the construction inspection phase of the project; and

WHEREAS, Boswell Engineering has submitted a proposal November 15, 2021, and the fee for the construction inspection phase is not to exceed \$ 32,500; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-833-402; 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 Council hereby authorize Boswell Engineering to perform the construction inspection for the Grandview and Mountainview Ave. Water Main Improvements Project at a cost not to exceed \$ 32,500; and

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-333 DEDICATION BY RIDER-HONOR GUARD UNIFORMS

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

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, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Boroughs Police Honor Guard Uniform Donations 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 for the Boroughs Police Honor Guard Uniforms 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 Police Honor Guard Uniforms.

2. 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.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-334 RENEW MEMBERSHIP B.C. MUNICIPAL JOINT INSURANCE FUND

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

WHEREAS, the Borough of Oakland is a member of the Bergen County Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2021 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Borough of Oakland agrees to renew its membership in the Bergen County Municipal Joint insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part herof and to deliver same to the Bergen County Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-335 CHAPTER 159 NJUCF STEWARDSHIP GRANT

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

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 Community Forestry Stewardship Grant in the amount of \$21,787.50 for a Borough Tree Inventory and wishes to amend its 2021 budget to include this amount as a revenue,

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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:  
Borough Tree Inventory

BE IT FURTHER RESOLVED that a like sum of \$21,787.50 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:  
Borough Tree Inventory  
Other Expenses - \$ 21,787.50

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-336 AUTHORIZE CDBG GRANT SUBMITTAL

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

WHEREAS, a Bergen County Community Development Block Grant of \$ 227,000 has been proposed by the Borough of Oakland for a Water Main Replacement and Road Improvement Project on River Road in the municipality of Oakland; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oakland hereby confirms endorsement of the aforesaid project; and

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

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RESOLUTION 21-337 CHAPTER 159 DRIVE SOBER OR GET PULLED OVER GRANT  
On motion of Councilman Biale, seconded by Councilman Slasinski, the following resolution be introduced, adopted and duly passed by roll call vote:

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 SAGE Grant in the amount of \$6,000 for the DWI Patrols and wishes to amend its 2021 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:

DWI Patrols

BE IT FURTHER RESOLVED that a like sum of \$6,000 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:

DWI Patrols

Other

Expenses - \$ 6,000

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

RESOLUTION 21-338 ACCRUED TIME PAYOUT-MARISOL GAITAN  
On motion of Councilman Biale, seconded by Councilman Slasinski, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, N.J.A.C. 5:30-15 establishes rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which



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is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exists to pay the part of the accumulated absence, as per the attached schedule, to Marisol Gaitan for sick, vacation, personal and compensatory time accumulated in the amount of \$ 4,201.77 ; and

WHEREAS, the attached certification and documentation are presented to comply with the rules and regulations established by the Local Finance Board.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the total sum \$ 4,201.77 composed of 48.42 hours of vacation time, 140 hours of sick time, and 0 hours of personal time and 0 hours compensatory time be paid out to Marisol Gaitan. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-339 AUTHORIZE RECREATION REFUNDS

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation fees; and

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

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

Amante Family, 26 Walnut Street, Oakland, NJ amt. \$ 80 (Rec Soccer)

O'Shaughnessy Family, 6 Valley Forge Rd, Oakland, NJ, amt. \$ 58 (Rec Basketball)

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

#### RESOLUTION 21-340 AGREEMENT TO INSTALL WATER SERVICE LINE

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

WHEREAS, the water service line of the resident at 70 Pawnee Ave. is leaking on his property and the cost to repair it would be prohibitively expensive due to the need to remove and replace a retaining wall; and

WHEREAS, a less costly alternative exists whereby the current service line that is connected to the Borough's water main on Iroquois Ave. would be disconnected and a new service line would be connected to the Borough water main on Pawnee Ave., and

WHEREAS, the resident, Mr. Gerald Ebio, is willing to pay the Borough's cost for our portion of the work, which is calculated to be \$ 12,895.59;

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NOW, THEREFORE, BE IT RESOLVED that the Borough Council authorizes a water service agreement with Mr. Gerald Ebio to undertake this project as specified in this resolution.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

RESOLUTION 21-341 HIRE CLERK 1-CODE ENFORCEMENT

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

BE IT RESOLVED that the Mayor and Council authorize the hire of Krystal Berkowitz as Clerk 1 for Code Enforcement at a salary of \$ 43,000 effective December 9, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

RESOLUTION 21-342 RELEASE ESCROW-PIZZA HUT, LLC

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

WHEREAS, Pizza Hut, LLC has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of 130.53 remains in Escrow Account #T-11-00-005-061;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$ 130.53 to Pizza Hut, LLC c/o Yum Brands Inc. and Affiliated Entities per Schedule A, Attention: Ms. Sandy Winstel, 3301 Stober Road, Louisville, KY 40212.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

RESOLUTION 21-343 RELEASE ESCROW-CHILDREN'S THERAPY CENTER

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

WHEREAS, Children's Therapy Center has requested that any Professional Review Escrow funds be returned for their application to the Oakland Planning Board; and

WHEREAS, the Chief Financial Officer has determined the amount of 18,807 remains in Escrow Account #T-26-00-004-277;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby directed to return the balance of Professional Review Escrow funds in the amount of \$ 18,807 to Children's Therapy Center, 125 Bauer Drive, Oakland, NJ 07436.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

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RESOLUTION 21-344 BUDGET TRANSFER

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

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Calendar Year 2021 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Calendar Year 2021 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that, based on the recommendation of the Chief Financial Officer, the following transfers be made to the Calendar Year 2021 Current Fund budget:

<u>Current Fund</u>		From	To
1-01-22-195-036	Const. Code – Office Supplies	\$ <u>2,500.00</u>	
Sub-total		\$ 2,500.00	
1-01-20-145-021	Tax Coll – Legal Notices		\$ <u>2,500.00</u>
Sub-total			\$ 2,500.00

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

INTRODUCTION: ORDINANCE NO. 21-CODE-870 AMEND RECREATION FEES

The Clerk was directed to take from table Ordinance No. 21-Code-870 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-870 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER IX, RECREATION FACILITIES AND RECREATION AREAS, SUBCHAPTER 9-2.3, ENTITLED "FEE SCHEDULE FOR ACTIVITIES," TO PROVIDE FOR THE USE OF FACILITIES AND THE FEE SCHEDULE THEREOF."

On motion of Councilman Pignatelli, 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 And Supplementing The Revised General Ordinances Of The Borough Of Oakland Chapter IX, Recreation Facilities And Recreation Areas, Subchapter 9-2.3, Entitled "Fee Schedule For Activities," To Provide For The Use Of Facilities And The Fee Schedule Thereof, be introduced;

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That said Ordinance be considered for final adoption at a meeting on December 20, 2021 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 13, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**INTRODUCTION: ORDINANCE NO. 21-CODE-871 AMEND WATER RATES**

The Clerk was directed to take from table Ordinance No. 21-Code-871 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-871 entitled: " ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE, ENTITLED "FEE SCHEDULE" AND SECTION 13 ENTITLED "CHARGES AND FEES"

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

BE IT RESOLVED that an Ordinance entitled, Ordinance Amending And Supplementing Chapter XIII, Section 10 Of The Oakland Code, Entitled "Fee Schedule" And Section 13 Entitled "Charges And Fees" , be introduced;

That said Ordinance be considered for final adoption at a meeting on December 20, 2021 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 13, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**INTRODUCTION: ORDINANCE NO. 21-CODE-872 CANNABIS LICENSING ORDINANCE**

The Clerk was directed to take from table Ordinance No. 21-Code-872 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-872 entitled: " AN ORDINANCE TO AMEND CHAPTER 8, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND PERTAINING TO CANNABIS ESTABLISHMENTS AUTHORIZED UNDER THE "NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT"

On Motion Of Councilman Pignatelli, Seconded By Councilman Biale, The Following resolution be introduced, adopted and duly passed on roll call vote.

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend Chapter 8, Cannabis, Of The Revised General Ordinances Of The Borough Of Oakland Pertaining To Cannabis Establishments Authorized Under The “New Jersey Cannabis Regulatory, Enforcement Assistance And Marketplace Modernization Act, be introduced;

That said Ordinance be considered for final adoption at a meeting on December 20, 2021 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 13, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**INTRODUCTION: ORDINANCE NO. 21-CODE-873 CANNABIS TAX ORDINANCE**

The Clerk was directed to take from table Ordinance No. 21-Code-873 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-873 entitled: " AN ORDINANCE TO AMEND CHAPTER 8, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND PERTAINING TO CANNABIS ESTABLISHMENTS AUTHORIZED UNDER THE “NEW JERSEY CANNABIS REGULATORY, ENFORCEMENT ASSISTANCE AND MARKETPLACE MODERNIZATION ACT”

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend Chapter 8, Cannabis, Of The Revised General Ordinances Of The Borough Of Oakland Pertaining To Cannabis Establishments Authorized Under The “New Jersey Cannabis Regulatory, Enforcement Assistance And Marketplace Modernization Act, , be introduced;

That said Ordinance be considered for final adoption at a meeting on December 20, 2021 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before December 13, 2021 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

**WORK SESSION:**

**ZONING BOARD APPEAL:**

Mr. Chewcaskie advised that he had wanted to ensure the Governing Body received the information timely. He suggests everyone review the documentation that was sent to them. The hearing should be scheduled for December 20<sup>th</sup>. He will send a letter to the applicant and attorney. Mr. Chewcaskie advised that the Governing Body will not question anyone nor will they accept any testimony. They can affirm, reverse or modify the decision of the Zoning Board. Mr. Chewcaskie advised that a determination must be made by the first week of January. If nothing is done, the Board's decision stands. Mayor Schwager asked everyone to read the transcripts. Residents can OPRA the appeal and transcripts.

**2022 CONTRACT WITH BERGEN COUNTY FOR HEALTH SERVICES:**

Mr. Kunze advised that Bergen County sent a one-year contract for Health services. There are three components to the contract-Health Officer, Registered Environmental Health Services and Septic Plan Review and Inspections. The Health Officer services increased while the cost for Registered Environmental Health decreased. The hourly rate for septic increased by 2% and the amount the Borough will spend will be based on activity. There is an overall reduction of 3% to the contract.

**OCC BYLAWS:**

This will be carried.

Mayor Schwager thanked the OCC for taping the Tree Lighting ceremony.

**SHADE TREE ORDINANCE REVISIONS:**

This will be carried.

**OLD BUSINESS:**

Councilman Pignatelli asked the Engineer about a meeting on the traffic study. Mr. Yakimik will set up a meeting.

**COUNCIL REPORTS:**

Councilman Kulmala: The Green Team met last week. The Planning Board will meet tomorrow at 7 pm and are talking about an application at 637 Ramapo Valley Road. Santa Claus will be in town on December 18<sup>th</sup>. The Fire Department website has the schedule.

Councilman Pignatelli: The Senior Center will host a podiatry clinic. The Senior holiday party will be held December 9<sup>th</sup> at 12 pm. There will be a Bagels and Banking program on December 14<sup>th</sup>. Fusion Line Dancing will take place on December 15<sup>th</sup>. Bergen County Senior Services will have a program on December 16<sup>th</sup> at 1:30 pm. The Senior Center will have a Price is Right program on December 30<sup>th</sup>. The Environmental Commission will meet on December 14<sup>th</sup>.

Councilman Biale: The Patriots Way Bridge is safe for vehicular and pedestrian traffic. We are awaiting a request to the State to shift the grant funding. The current cost estimate is \$ 5.66 million. The Borough Engineer is waiting to hear from the County regarding moving the traffic box by the LED sign. The sidewalk project on Ramapo Valley Road is proceeding except there is an easement issue with one resident. The paving is complete for the 2021 Road program. WE are working on the placement of stone work for the LED digital sign. The downtown traffic study showed that a connector road by Terhune would have a positive effect on traffic. The County changed the signal at Franklin Ave and Ramapo Valley Road. Bids were received for the Iroquois Pump station and are within the Engineer's estimate. Bids were received for the

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Decommissioning of the Sewer Plants. Borough Engineer Yakimik advised that five bids were received ranging from \$ 5.5 million to \$ 8.5 million. Boswell's estimate was between \$ 4.4 and \$ 4.8 million. They are currently evaluating the bids. Councilman Biale advised that the Borough has not received an updated layout on the new Stream House. Mr. Kunze responded that should be submitted by the end of the month.

Councilman Slasinski: The Library held an in-person Holiday concert yesterday and it was a great success. They will have more events in the New Year. The Library has a 3D printer.

OPENED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

No comments made.

CLOSED FOR PUBLIC COMMENT:

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

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

BILLS TO BE PAID:

On motion of Councilman Pignatelli, seconded by Councilman Biale, 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 Biale, Kulmala, Pignatelli, Slasinski.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the meeting be adjourned at 8:25 pm.

ROLL CALL: All yeas, Councilmembers Biale, Kulmala, Pignatelli, Slasinski.

*Lisa M. Duncan*

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Lisa M. Duncan, Borough Clerk  
December 20, 2021

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Date Approved

*Linda H. Schwager*

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Mayor Linda H. Schwager