

BOROUGH COUNCIL MEETING
December 20,2023

Municipal Court/Council Chambers
10 Lawlor Drive
Oakland, N.J. 07436
7:00 P.M.



BOROUGH OF OAKLAND
NEW JERSEY



Phone: (201) 337-8111
Website: www.oakland-nj.org

BOROUGH OF OAKLAND

Borough Council Meeting

FINAL AGENDA

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

MAYOR:
Linda H. Schwager

BOROUGH COUNCIL:
Steven Saliani, *President*
Eric Kulmala
John McCann
Pat Pignatelli
Kevin Slasinski
Russell Talamini

December 20, 2023 – 7:00 p.m.

EXECUTIVE SESSION	None.
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- No Executive Session

CALL TO ORDER	<i>Mayor Linda H. Schwager Presiding</i>
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- Statement of Compliance with Open Public Meetings Act:

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 no later than 10:00 p.m. unless a majority of the Councilmembers that are present vote to extend the time.

- Pledge of Allegiance to the Flag & Moment of Silence

ROLL CALL

Roll Call: Mayor Linda H. Schwager, Councilmembers Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini

MAYOR'S REPORT	<i>Mayor Linda H. Schwager</i>
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ENGINEER'S REPORT	<i>Borough Engineer</i>
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FIREFIGHTER OATH	<i>Mayor Linda H. Schwager</i>
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- Swearing In Firefighter Nicholas Kiczek, Company 1 Member
- Swearing In Firefighter Justin Longa, Company 2 Member

OPEN PUBLIC COMMENT	<i>General Public</i>
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Open public comment for members of the public not to exceed 3 minutes per person. Session not to exceed 30 minutes.

APPROVAL OF MINUTES	<i>Borough Council</i>
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- December 6, 2023
- December 6, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS	<i>Borough Council</i>
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- Presentation: Recreation Commission
- Presentation: Complete Streets Policy
- Authorize Raffle License #RL1475 for Indian Hill Parents Athletic Committee for Raffle on February 15, 2024 at Indian Hills High School 97 Yawpo Ave, Oakland, NJ 07436 for the benefit of Ramsey-Indian Hills Ice Hockey team, General Fundraising

- Authorize Raffle License #RL1476 for Sports Association of Oakland for an off-premise 50/50 raffle to be held January 21, 2024 at Indian Hills High School for the benefit of Oakland Braves wrestling

RESOLUTIONS	<i>Borough Council</i>
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All Resolutions listed shall be acted upon by a single motion unless a member of the Governing Body requests specific items be pulled from the Consent Agenda for separate action.

- 23-345:** Hire Clerk 1 for Municipal Court
- 23-346:** Approve Oakland Communications Commission Bylaws
- 23-347:** Authorize Refund of Taxes 2023 4th Quarter Overpayment- Giampietro
- 23-348:** Authorize Refund of Taxes 2023 4th Quarter Overpayment-Thomasevich
- 23-349:** Resolution Opposing A-5659
- 23-350:** Resolution Authorizing Refund of Tax Appeal Settlement P&T Company
- 23-351:** Award Bid Patriot’s Way Bridge
- 23-352:** Budget Transfer

ORDINANCES:

Adoption:

- **23-Code-934:** An Ordinance Revising, Amending and Reenacting Paragraph 1, 3, and 8 of Ordinance NO-22-CODE-887 Titled “The Code of the Borough of Oakland, County Of Bergen, State of New Jersey, Entitled “Salaries of Municipal Employees”.
- **23-Code-935:** An Ordinance Amending and Supplementing Chapter X111, Section 10 of the Oakland Code, Entitled “Fee Schedule” and Section 13 Entitled “Charges and Fees”
- **23-Code-936:** An Ordinance Establishing the Sustainable Oakland Green Team
- **23-Code-937:** An ordinance Establishing Requirements of the Storage of Salt and other Solid De-Icing materials from being exposed to stormwater.

WORK SESSION

- Amend Code Enforcement Fees
- Amend Recreation Fees

NEW BUSINESS

OLD BUSINESS

BOROUGH COUNCIL COMMITTEE/LIAISON REPORTS	<i>Borough Council</i>
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OPEN PUBLIC COMMENT	<i>General Public</i>
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Open public comment for members of the public not to exceed 3 minutes per person. Session not to exceed 30 minutes.

BILLS TO BE PAID	<i>Borough Council</i>
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ADJOURNMENT

The Oath of Office Meeting will be held on **Sunday January 7, 2024** at 12:00 Noon at the Borough of Oakland Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. 07436

The next Borough Council Meeting will be held on **Tuesday January 9, 2024** at 7:00 p.m. at the Borough of Oakland Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. 07436



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-345

TITLE:

AUTHORIZE HIRE OF CLERK 1 MUNICIPAL COURT

WHEREAS, there is a need to hire a full-time Clerk 1 for the Municipal Court of the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize the hire of Dana Salazar as Clerk 1 for the Court at a salary of \$45,000.00, effective December 18, 2023.

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-346

TITLE:

AMEND BY-LAWS OF THE OAKLAND COMMUNICATIONS COMMISSION

WHEREAS, the Oakland Communications Commission sees a need to update the existing By-Laws.

WHEREAS, the Oakland Communications Commission approved the updates at the November 1, 2023 Meeting adopting the 5 year plan.

WHEREAS, the Mayor and Council of the Borough of Oakland deems it to be in the best interests of the Oakland Communications Commission that the By-laws be updated; and

BE IT RESOLVED, that the Bylaws of the Oakland Communications Commission previously adopted on January 26, 2022, Resolution 22-39 be amended as set forth in the draft document; and

BE IT FURTHER RESOLVED, that the Bylaws of the Oakland Communications Commission are hereby adopted as amended.

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-347

TITLE:

AUTHORIZE REFUND OF TAXES FOR 2023 4TH QTR OVERPAYMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$3285.39; 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 Tax Refund #CF-01-55-998-002 Tax Refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$3285.39 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Jennifer and Anthony Giampietro	675 Birchwood Drive Wyckoff, NJ 07481	1901	30

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-348

TITLE:

AUTHORIZE REFUND OF TAXES FOR 2023 4TH QTR OVERPAYMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$2505.82; 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 Tax Refund #CF-01-55-998-002 Tax Refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$2505.82 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Eric Thomasevich	4358 Sunmill Ct Bradenton, Fl. 34211	3903	42.18

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-349

TITLE:

RESOLUTION OPPOSING ASSEMBLY BILL #5659 ESTABLISHING 21ST CENTURY INJURED WORKERS' ACCESS TO JUSTICE ACT

WHEREAS: Local Government is facing the largest budget increase for property/casualty insurance since the mid-1980s; and

WHEREAS: The property/casualty budget for the typical municipality has already experienced a 20% to 25% increase since 2021 and will experience another 12% to 20% increase in 2024; and

WHEREAS: New Jersey now has the highest workers' compensation premium rates in the country based on data from the U.S. Bureau of Labor Statistics; and

WHEREAS: Workers' Compensation escalated because New Jersey judges are now reopening cases up to four and five times, whereas in the past they rarely reopened a case more than once; and

WHEREAS: Workers' Compensation also escalated because of a 2021 Department of Labor decision that directed workers' compensation to pay many accidental disability claims that previously were paid by the pension plans; and

WHEREAS: Another recent law created a presumption that firefighters diagnosed with cancer are eligible for workers' compensation; and

WHEREAS: During the COVID 19 Pandemic, the Legislature approved a law that made COVID contracted by first responders and essential employees compensable under New Jersey's workers' statute resulting in the COVID cost per employee being the second highest in the country; and

WHEREAS: Liability has increased because of the erosion of Title 59 protections in New Jersey's courts. Judges are now reluctant to grant summary judgement dismissing even frivolous claims because of the 2021 New Jersey Supreme Court decision in Gonzalez v. Jersey City; and

WHEREAS: The recent amendment in the sexual molestation statute of limitations also increased Title 59 liability costs. In some cases, towns are being sued based on allegations going back to the 1970s; and

WHEREAS: Property premiums are increasing rapidly because the world-wide frequency of large natural disasters has almost tripled since 2000. New Jersey alone was hit with Hurricane Irene in 2011, Superstorm Sandy in 2012 and Tropical Storm Ida in 2021; and

WHEREAS: Property insurance premiums are also indexed to replacement values that have jumped because of supply chain issues and the labor shortage; and

WHEREAS: Cyber liability premiums have more than doubled in recent years. Organizations without strong cyber risk controls are finding it difficult to purchase any coverage.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF OAKLAND THAT:

- 1) The Legislature is urged to adopt budget and levy cap exemptions for property/casualty insurance and claims; and
- 2) The Administration and the Legislature should not adopt additional legislation or regulations that will increase municipal claims without a thorough and complete analysis of the cost; and
- 3) The New Jersey Department of Labor, the New Jersey Department of Banking and Insurance and the New Jersey Department of Community Affairs should meet with representatives of municipal government to discuss ways to reduce property/casualty costs.

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-350

TITLE:

**RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS
RESULTING FROM TAX COURT JUDGMENT P & T COMPANY**

WHEREAS, the Tax Court of New Jersey entered Judgments for tax year 2023 on November 14, 2023 and for tax year 2022 on November 29, 2023 regarding the settlement of tax appeals filed by property owner: P & T Company, LP for the property located at: Block 3903, Lot 77 also known as 306 Ramapo Valley Road; and

WHEREAS, the Judgments entered reduced the assessment on the property for tax years 2022 and 2023; and

WHEREAS, as a result of the settlement Judgments, the above-mentioned property owner is owed a refund for tax overpayments.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer be and is hereby authorized to make the following refund(s) as provided by the settlement Judgments attached hereto and for the Tax Collector to adjust her records accordingly:

Block	Lot	Address	Owner	Tax Year	Tax Rate	Refund
3903	77	306 Ramapo Valley Rd	P & T Company, LP	2022	2.352%	\$2,528.40
3903	77	306 Ramapo Valley Rd	P & T Company, LP	2023	2.374%	\$3,278.49
Subtotal						\$5,806.89
Outstanding Municipal Charges as of Date of Judgment(s)						- \$0.00
Total Refund						\$5,806.89

Make Check Payable to:

“James T. Cedarstrand Trust Account in trust for P & T Company, LP”

Deliver Check to:

James T. Cedarstrand, Esq.
229 Rock Road, 2nd Floor
Glen Rock, NJ 07452

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and Borough’s Tax Professionals are hereby authorized and directed to execute any other documents necessary to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED that the refund will be made without any interest to the taxpayer, as long as payment is made within 90 days of the date of Judgment.

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.

BOROUGH OF OAKLAND
ORDINANCE NO. 23-CODE-934

AN ORDINANCE REVISING, AMENDING AND REENACTING PARAGRAPH 1,3, 4 and 8 OF ORDINANCE NO-22-CODE-887 TITLED "THE CODE OF THE BOROUGH OF OAKLAND, COUNTY OF BERGEN, STATE OF NEW JERSEY, ENTITLED "SALARIES OF MUNICIPAL EMPLOYEES"

WHEREAS, the Mayor and Council are desirous of repealing and reenacting paragraphs 1, 3, 4 and 8 of its Ordinance dealing with compensation paid its employees and including the contractual negotiations with various bargaining groups with respect to said compensation in the form of Salaries and Benefits.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Oakland that there is hereby established compensation for the classification of certain officers, officials and employees of the Borough of Oakland as required by N.J. Statute 40A.9-165 as hereinafter set forth:

SECTION I. Paragraph 1 respecting the salaries of Administrative and Executive is hereby amended with language as follows:

ANNUAL SALARY
Paragraph 1: Administrative and Executive

	Minimum	Maximum
Chief Financial Officer	60,000	180,000
Senior Account Clerk	30,000	67,000
Principal Accounts Clerk	35,000	67,000

SECTION II. Paragraph 3 respecting the salaries of Municipal Boards and Commissions is hereby amended with language as follows:

Paragraph 3: Municipal Boards and Commissions

	Minimum	Maximum
Secretary to Sustainable Oakland Green Team	500	2,000

The rate of compensation of each employees of the Borough of Oakland, hired on an hourly basis in the various departments and job title listed below as from time to time approved by the Mayor and Council by resolution is hereby established as follows:

SECTION III. Paragraph 15: Hourly Rate Employees

A. Administrative and Executive Part Time Office Worker	Statutory Minimum	40.00
B. SLEO	35/hr.	45/ Hr.

SECTION IV. All other parts, portions, and provisions of Ordinance No. 22-Code-887 are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistencies, the terms of this Ordinance shall be deemed to govern.

SECTION VI. Any part, portion or provision of this Ordinance deemed unconstitutional or invalid, shall not affect any other parts, portions and provisions hereof. The terms of this Ordinance are deemed to be severable.

SECTION VII. This ordinance shall be effective upon final passage and publication in accordance with the law.

Linda H. Schwager, Mayor

ATTEST:

Wendi Seelin, Acting Borough Clerk

Date:

BOROUGH OF OAKLAND
ORDINANCE NO. 23-CODE-935

**ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE,
ENTITLED “FEE SCHEDULE” AND SECTION 13
ENTITLED “CHARGES AND FEES”**

WHEREAS, the Borough of Oakland operates a water and sewer system as a municipal utility which must be self-sustaining; and

WHEREAS, the NJDEP has implemented PFAS standards which required the Borough to install and operate additional filtration units on our water system which generated significant capital and operating costs; and

WHEREAS, increases in the costs of goods and services for the water utility due to inflation and increases in costs associated with labor and various other contracted services have increased overall operating and capital expenses for the utility; and

WHEREAS, in the event of revenue shortfalls, rates must be raised in order to keep the utility solvent;

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

Section I. Chapter 13, Section 10.2 of the Borough of Oakland Code entitled “Minimum Charges” be and the same is hereby repealed and replaced with the following:

§ 13-10.2 Minimum Charge.

Effective January 1, 2024, each customer shall pay a minimum charge of \$57.00 per quarter on the account, which charge shall entitle the customer to utilize up to 6,000 gallons of water. In the event that a customer commences or ceases to require services, during such portion of a quarter that it would be inequitable to charge the full minimum quarterly charge, the aforesaid amount shall be prorated as nearly as possible at the rate of \$19.00 which entitled the user to 2,000 gallons of water per month. In any event, any customer owning a home in Oakland for a minimum of one year, using water supplied by the Borough, shall be required to pay a minimum of \$228.00 per year.

Section II. Chapter 13, Section 10.3 of the Borough of Oakland Code entitled “Water and Sewer - Fee Schedule - Charges Over Minimum” be and the same is hereby repealed and replaced with the following:

§ 13-10.3 Charges Over Minimum.

Effective January 1, 2024, customers who use in excess of 6,000 gallons per quarter shall pay, in addition to the minimum charge set forth in subsection **13-10.2**, the sum of \$4.50 for each 1,000 gallons used in a quarter above 6,000 gallons, up to 10,000 gallons; the sum of \$5.75 for each 1,000 gallons used in a quarter above 10,000 gallons up to 25,000 gallons; the sum of \$6.30 for each 1,000 gallons used in a quarter above 25,000 gallons up to 50,000 gallons; and the sum of \$7.95 for each 1,000 gallons used in a quarter above 50,000 gallons up to 100,000 gallons. For each 1,000 gallons used in a quarter above 100,000 gallons, the customer shall pay \$9.75 per 1,000 gallons.

Section III. All other parts, portions and provisions of Chapter 13 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section IV. The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

Section V. This Ordinance shall take effect immediately upon final passage and publication according to law.

Linda H. Schwager, Mayor

ATTEST:

Wendi Seelin, Acting Borough Clerk

Date Adopted:



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-936

AN ORDINANCE AMENDING CHAPTER 2 OF THE OAKLAND BOROUGH CODE TO CREATE A SUSTAINABLE OAKLAND GREEN TEAM COMMITTEE

WHEREAS, the Mayor and Borough Council of the Borough of Oakland recognize the need to take actions to ensure environmental quality, conserve natural resources, foster energy efficiency, promote health and wellness, support and develop the local economy, and reduce costs, all as a way of improving the quality of life for Oakland's residents and ensuring the long term economic, environmental, and social sustainability of the community; and

WHEREAS, Sustainable Jersey is an initiative of the New Jersey State League of Municipalities, Rutgers University, the College of New Jersey, the New Jersey Department of Environmental Protection, the New Jersey Board of Public Utilities, and a coalition of New Jersey non-profits, state agencies, and experts in the field; and

WHEREAS, Sustainable Jersey identifies programs that municipalities can implement and provide guidance to help accomplish these programs; and

WHEREAS, the Borough of Oakland created the Sustainable Oakland Green Team in 2009 and achieved bronze level certification as a 'Sustainable Community' in 2011, 2014, 2017, 2018, and 2019, and silver level certification in 2020, 2021, and 2022, and 2023.

WHEREAS, the Mayor and Borough Council of the Borough of Oakland adopted Resolution #23-35 on January 4, 2023 to re-establish the Sustainable Oakland Green Team.

WHEREAS, the Mayor and Borough Council desires to designate the Sustainable Oakland Green Team as a full committee of the Borough of Oakland.

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

Section I. Chapter 2, Section 7.10 of the Borough of Oakland Code entitled "Sustainable Green Team Commission" is hereby established as follows:

2-7.10 Sustainable Green Team Committee

a. Legislative Intent and Duties:

1. To generally advise the Mayor and Council on 'greening' and sustainability matters.
2. To solicit grants, with Council approval.
3. To research and evaluate, or coordinate the research and evaluation of 'sustainable' actions that would be beneficial to the Oakland community.
4. To develop and coordinate the implementation of actions as outlined by Sustainable Jersey that will maintain the Borough's Silver Level Certification and lead to higher certifications.
5. To that end, the Sustainable Oakland Green Team may establish subcommittees as needed to carry out specific actions or focus on specific areas of interest.

b. Membership:

The Mayor shall appoint the members of the Committee, who shall serve for a period of five years, except the respective terms of office for the originally appointed members shall be as follows:

- i. Two members shall serve a five (5) year term.
- ii. Two members shall serve a four (4) year term.
- iii. One member shall serve a three (3) year
- iv. All three alternate members shall serve (2) year terms.

The Committee shall also contain an ex-officio member of the Council, the Mayor or his/her designee, the Borough Administrator or his/her designee, and any such other non-voting members the Mayor shall appoint including from the Environmental Commission, Board of Health, Board of Education, Business Community, Shade Tree Commission, Oakland Library and Planning Board

c. Vacancies:

In the event of resignation of any member of the Committee or an inability to serve, the Mayor and shall fill said vacancy for the remainder of the unexpired term.

d. Meetings:

The Commission shall meet at least 10 times a year as set in its organizational meeting, which meetings shall be open to the public unless closed by the Committee pursuant to an exception authorized under the Open Public Meetings Act. Special meetings may be called by the Chairman upon three days' notice to each member of the Committee. The Committee may make and amend rules and regulations, subject to Council approval, concerning the conduct of its meetings.

e. Organization; Officers.

The Commission shall elect a Chairman and Vice-Chairman at its organizational meeting in January, which officers shall serve for a term of one year and remain in office until their successor are appointed.

The Commission shall appoint a Secretary, which may be a paid position, such compensation to be determined by the Mayor and Council. The Secretary shall keep minutes of all the meetings of the Commission, which minutes and copies of official correspondence shall be kept on file in the Office of the Borough Clerk, with copies provided to the Mayor and Borough Council.

f. Compensation

Members of the Sustainable Green Team Committee shall receive no compensation.

Section II. All other parts, portions and provisions of Chapter 2 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section III. The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Adopted this ___ day of
_____, 2023.

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

**BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 23-CODE-937**

An Ordinance Regulating Privately-Owned Salt Storage

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Oakland to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. "De-icing materials" means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. "Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. "Storm drain inlet" means the point of entry into the storm sewer system.
- D. "Permanent structure" means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure cannot be open sided; and

5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- F. "Resident" means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th,
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Code Enforcement Official of the Borough of Oakland during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines and penalties as set forth in Section 1-5 of the Borough Code.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

LINDA H. SCHWAGER, MAYOR

ATTEST:

Wendi Seelin, Acting Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Bills Resolution 12-20-23

<u>BILLS ALREADY PAID</u>	
PAYROLL	305,448.99
PAYROLL AGENCY	147,444.08
CURRENT	4,496,873.00
WATER	
Total Bills Already Paid	\$ 4,949,766.07
<u>BILLS TO BE PAID</u>	
CURRENT FUND	\$ 150,981.33
WATER OPERATING	\$ 18,986.09
SEWER	\$ 13,583.75
GENERAL CAPITAL	\$ 88,212.96
WATER CAPITAL	\$ 25,816.75
COAH	\$ 25,814.40
GRANT FUND	\$ 61,257.29
ANIMAL CONTROL	\$ 4,428.00
OTHER TRUSTS	\$ 2,852.00
Total Bills to be Paid	\$ 391,932.57

RECORD OF COUNCIL VOTE:

Motion – by Councilman: _____ Second – by Councilman: _____

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 20, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

This resolution, when adopted, must remain in the possession of the Borough Clerk. Certified copies are available.