

BOROUGH COUNCIL MEETING
November 21, 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

November 21, 2023 – 7:00 p.m.

EXECUTIVE SESSION	6:30 P.M.
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- Executive Items

CALL TO ORDER	Mayor Linda H. Schwager Presiding
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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	Mayor Linda H. Schwager
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ENGINEER'S REPORT	Borough Engineer
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OPEN PUBLIC COMMENT	General Public
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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	Borough Council
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- November 8, 2023
- November 8, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS	Borough Council
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- Authorize Raffle License #RL1470 for Hawthorne Cubs Football for Raffle on December 2, 2023 at Portobello's 175 Ramapo Valley Road, Oakland, NJ 07436 for the benefit of Hawthorne Cubs Football.
- Approve Social Affairs Permit for BPOE Oakland Elks Lodge # 2167 12/9/23 for Texas Hold'em Tournament
- Approve Raffle License RL1471 for BPOE Elks #2167 Oakland Lodge for a Texas Hold'em Tournament on December 9, 2023 for the benefit of Elks Charities and Causes

RESOLUTIONS *Borough Council*

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.

- 23-327:** TWA Application for Lenape Valley Diner 176 Ramapo Valley Road
- 23-328:** Award Contract to Boswell Engineering for Construction Inspection Services for Drainage Improvements at Oneida and Monhegan Avenues
- 23-329:** Authorize Refund of Recreation Fees
- 23-330:** NJARPA Firefighter Grant
- 23-331:** Award Contract to Boswell Engineering for Lakeside Boulevard Construction Management Services

ORDINANCES:

Adoption:

- **23-Code-932:** An Ordinance Amending Chapter 9, Section 1.2 of the Oakland Code related to Venomous Snakes
- **23-Capital-933:** Capital Ordinance of the Borough of Oakland, In the County of Bergen, New Jersey Authorizing the Making of Various Public Improvements and Acquisitions in, by and for the Borough, Appropriating Therefor the Sum of \$1,325,000 and Providing That Such Sum So Appropriated Shall Be Raised From the General Capital Fund Balance

WORK SESSION

- Renew Membership BMED
- Amend Salary Ordinance
- Amend Water Rates
- Regulate Private Salt Storage- Storm Water Management Permit Requirements
- Draft 2024 Mayor and Council Meeting Schedule

NEW BUSINESS

OLD BUSINESS

BOROUGH COUNCIL COMMITTEE/LIAISON REPORTS *Borough Council*

OPEN PUBLIC COMMENT *General Public*

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 *Borough Council*

ADJOURNMENT

The next Borough Council Meeting will be held on **Wednesday December 6, 2023** 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: 23-327

TITLE:

AUTHORIZE CONSENT OF TWA APPLICATION

WHEREAS, an application has been made to the Borough of Oakland by the Lenape Valley Grill for the replacement of a malfunctioning septic system for the facility located at 176 Ramapo Valley Road.

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

The Mayor is hereby authorized to execute the necessary consent by Governing Body to be attached to the Treatment Works Application to be filed by Lenape Valley Grill subject to the following:

- A. The construction shall conform to all applicable requirements of the Borough of Oakland and the Board of Health of the Borough of Oakland.
- B. The installation of all sewer lines and appurtenances shall be inspected and approved by the Borough of Oakland and/or the Borough of Oakland Board of Health.
- C. Lenape Valley Grill shall pay for all engineering expenses incurred by the Oakland Board of Health and the Borough of Oakland for all inspections and testing of the sewer lines and/or appurtenances.
- D. Lenape Valley Grill shall pay for the Borough's application fees, legal fees and other applications, administrative, technical or any other expenses relating to review of the project.
- E. Any manholes constructed or modified by reason of this project be fitted with sewer guards to prevent inflow. All manholes constructed must be installed with all required waterproofing measures, including exterior painting and pipe gasket interlock.
- F. Water conserving plumbing fixtures be installed in all new buildings constructed as part of this project.
- G. Lenape Valley Grill shall comply with all conditions imposed by the Oakland Board of Health.
- H. Lenape Valley Grill shall comply with all rules and regulations of the Borough of Oakland, the Oakland Board of Health and the New Jersey Department of Environmental Protection.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the Lenape Valley Grill and the Oakland Board of Health.

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: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Deputy 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: 23-328

TITLE:

AWARD CONTRACT TO BOSWELL ENGINEERING FOR CONSTRUCTION INSPECTION SERVICES FOR DRAINAGE IMPROVEMENTS AT ONEIDA AND MONHEGAN AVENUES

WHEREAS, there is a need for construction inspection services for the drainage improvements at Oneida and Monhegan Avenues; and

WHEREAS, Boswell Engineering has submitted a proposal dated November 16, 2023 for services required at a total cost not to exceed cost of \$19,500.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-885-702 in the amount of \$17,200.00; 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 Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize Boswell Engineering to perform the construction inspection services for the water main improvements on River Road at a cost not to exceed \$17,200.00; and

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

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 November 21, 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: 23-329

TITLE:

AUTHORIZE REFUND OF RECREATION FEES

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of recreation fees in the total amount of \$90.00; and

WHEREAS, N.J.S.A. 40A:5-17 requires Governing Body approval for said refund; and

WHEREAS, the Chief Financial Officer has verified that the amount is due and that funds are available in account Misc. Revenue Refund **CF-01-55-998-006**;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$90.00 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>SPORT TYPE</u>	<u>AMOUNT</u>
Michael Best	19 Osage Rd, Oakland NJ 07423 Block 5603 Lot 16	Basketball Fees	90.00
Kelly Falcon	58 Rutgers D., Oakland NJ 07436 Block 4912 Lot 13	Wrestling Fees	158.00

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: November 21, 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



ORDINANCE NO. 23-CODE-932

AN ORDINANCE AMENDING CHAPTER 9, SECTION 1.2 OF THE OAKLAND CODE RELATED TO VENOMOUS SNAKES

WHEREAS, the Borough of Oakland has regulated the parking of vehicles over three (3) tons; and

WHEREAS, the Borough wishes to amend the ordinance governing same to comply with the Endangered and Nongame Species Conservation Act ("ENSCA"), N.J.S.A. 23:2A-1 through 13;

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

Section I. Chapter 9, Section 1.2(a)(8) of the Borough of Oakland Code entitled "Prohibited Activities" is hereby amended as follows:

9-1.2 Prohibited Activities.

- a. No person in a public park or in a public recreation area or Green Acres or open space area shall:
 - 8. Hunt, molest, harm, frighten, kill, trap, pursue, chase, tease, shoot or throw missiles at any animal, wildlife, reptile or bird or remove or have in possession the young of any wild animal, or the eggs or nest, or young of any reptile or bird.

Section II. All other parts, portions and provisions of Chapter 9 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

ATTEST:

BOROUGH OF OAKLAND
COUNTY OF BERGEN
STATE OF NEW JERSEY

By: _____
Wendi Seelin, Deputy Borough Clerk

By: _____
Linda H. Schwager, Mayor

**BOROUGH OF OAKLAND
BERGEN COUNTY, NEW JERSEY
ORDINANCE #23-Capital-933**

CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$1,325,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE GENERAL CAPITAL FUND BALANCE.

BE IT ORDAINED by the Mayor and Council of the Borough of Oakland, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Oakland, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to make the following public improvements and acquisitions in, by and for the Borough, including all work, materials and appurtenances necessary and suitable therefor:

Street & Road Improvements

2024 Annual Road Program	\$ 1,325,000
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Section 2. The sum of \$1,325,000 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the General Capital Fund Balance of the Borough. The sum of \$1,325,000 is hereby appropriated from the General Capital Fund Balance of the Borough to the payment of the cost of said purpose.

Section 3. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

Date:

Linda H. Schwager, Mayor

ATTEST:

Wendi Seelin, Acting Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (11-21-23)

TITLE:

BILLS RESOLUTION

<u>BILLS ALREADY PAID</u>	
PAYROLL	287,155.24
PAYROLL AGENCY	131,463.19
CAPITAL	0.00
CURRENT	4,497,004.00
Total Bills Already Paid	\$ 4,915,622.43
<u>BILLS TO BE PAID</u>	
CURRENT FUND	\$ 481,015.85
WATER OPERATING	\$ 6,594.82
SEWER	\$ 12,850.00
GENERAL CAPITAL	\$ 29,719.52
WATER CAPITAL	\$ 473,667.18
COAH	\$ 19,120.00
GRANT FUND	\$ 4,076.80
OTHER TRUSTS	\$ 2,571.48
Total Bills to be Paid	\$ 1,029,615.65

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: November 21, 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