

**BOROUGH COUNCIL MEETING**  
**December 6, 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](http://www.oakland-nj.org)

# BOROUGH OF OAKLAND

## Borough Council Meeting

### 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 6, 2023 – 7:00 p.m.**

<b>EXECUTIVE SESSION</b>	<b>6:30 P.M.</b>
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- Executive Items

<b>CALL TO ORDER</b>	<b><i>Mayor Linda H. Schwager Presiding</i></b>
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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

<b>ROLL CALL</b>
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Roll Call: Mayor Linda H. Schwager, Councilmembers Kulmala, McCann, Pignatelli, Saliani, Slasinski, Talamini

<b>MAYOR'S REPORT</b>	<b><i>Mayor Linda H. Schwager</i></b>
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<b>ENGINEER'S REPORT</b>	<b><i>Borough Engineer</i></b>
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<b>OPEN PUBLIC COMMENT</b>	<b><i>General Public</i></b>
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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.*

<b>APPROVAL OF MINUTES</b>	<b><i>Borough Council</i></b>
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- November 21, 2023
- November 21, 2023 Executive Session

<b>SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS</b>	<b><i>Borough Council</i></b>
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- Authorize Raffle License #RL1472 for PTO Heights School for Raffle on January 24, 2024 at Holiday Bowl 29 Spruce Street, Oakland, NJ 07436 for the benefit of Heights School PTO
- Authorize Raffle License #RL1473 for PTO Heights School for Raffle on March 17, 2024 at 64 Cardinal Drive, Oakland, NJ 07436 for the benefit of Heights School PTO

**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.*

- 23-333:** Resolution Ratifying the Sidebar Agreement between Borough of Oakland and United Public Service Employees Union (Oakland Blue Collar Employees) Regarding 2024 Election Day Observed Holiday
- 23-334:** Resolution Ratifying the Sidebar Agreement between Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees) Regarding 2024 Election Day Observed Holiday
- 23-335:** Resolution Authorizing Indemnity and Trust Agreement to Bergen Municipal Employee Benefits Fund for 2024-2026
- 23-336:** Authorize Grant Submittal CDBG
- 23-337:** Recreation Refunds
- 23-338:** TWA Application for Hackensack Meridian 373 Ramapo Valley Road, Oakland, NJ 07436
- 23-339:** Appoint Acting Municipal Clerk
- 23-340:** Hire Seasonal Snow Plow operators
- 23-341:** Accrued Time Payout-Diane DelGaiso
- 23-342:** Appoint Temporary Recreation Secretary
- 23-343:** Award Bid-Bush Plaza
- 23-344:** Authorize Submittal of NJARPA Firefighter Grant

**ORDINANCES:**

**Introduction:**

- **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-Capital-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**

- OCC Bylaw Revisions
- Arts Committee Mural Project

**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.*

<b>BILLS TO BE PAID</b>
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<i>Borough Council</i>
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<b>ADJOURNMENT</b>
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The next Borough Council Meeting will be held on **Wednesday December 20, 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: 22-333

**TITLE:**

**RESOLUTION RATIFYING THE SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND UNITED PUBLIC SERVICE EMPLOYEES UNION (OAKLAND BLUE COLLAR EMPLOYEES) REGARDING 2024 ELECTION DAY OBSERVED HOLIDAY**

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**WHEREAS**, the United Public Service Employees Union, (hereinafter “the Union”) is the local union representative for all Blue Collar employees of the Borough of Oakland excluding confidential, managerial, supervisory, seasonal or police employees within the meaning of the Public Employment Relations Act; and

**WHEREAS**, the parties’ have agreed that for the 2024 Calendar Year, Election Day will be observed on July 5, 2024 to afford Union members extended time off over the Independence Day weekend; and

**WHEREAS**, the holiday schedule will return to normal and Election Day will be observed on the designated date of November 4, 2025 for the Calendar Year 2025 and thereafter; and

**WHEREAS**, the parties’ have negotiated a sidebar agreement setting forth the terms for the observed holiday, which is attached hereto as Exhibit A; and

**WHEREAS**, the Borough of Oakland is desirous of ratifying and executing the sidebar agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oakland hereby ratifies the sidebar agreement between the Borough of Oakland and United Public Service Employees Union, which hereby authorizes Election Day be observed on July 5, 2024 for the 2024 Calendar Year, and further authorizes the Mayor to execute the sidebar agreement on behalf of the Borough of Oakland.

**RECORD OF COUNCIL VOTE:**

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Motion – by Councilman: \_\_\_\_\_ Second – by Councilman: \_\_\_\_\_

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

Date of Adoption: December 6, 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: 23-334

**TITLE: RESOLUTION RATIFYING THE SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND UNITED PUBLIC SERVICE EMPLOYEES UNION (OAKLAND WHITE COLLAR EMPLOYEES) REGARDING 2024 ELECTION DAY OBSERVED HOLIDAY**

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**WHEREAS**, the United Public Service Employees Union, (hereinafter “the Union”) is the local union representative for all White Collar employees of the Borough of Oakland excluding confidential, managerial, supervisory, seasonal or police employees within the meaning of the Public Employment Relations Act; and

**WHEREAS**, the parties’ have agreed that for the 2024 Calendar Year, Election Day will be observed on July 5, 2023 to afford Union members extended time off over the Independence Day weekend; and

**WHEREAS**, the holiday schedule will return to normal and Election Day will be observed on the designated date of November 4, 2025 for the Calendar Year 2025 and thereafter; and

**WHEREAS**, the parties’ have negotiated a sidebar agreement setting forth the terms for the observed holiday, which is attached hereto as Exhibit A; and

**WHEREAS**, the Borough of Oakland is desirous of ratifying and executing the sidebar agreement; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oakland hereby ratifies the sidebar agreement between the Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees), which hereby authorizes Election Day be observed on July 5, 2024 for the 2024 Calendar Year, and further authorizes the Mayor to execute the sidebar agreement on behalf of the Borough of Oakland.

**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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 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: 23-335

**TITLE:**

**AUTHORIZE RENEWAL IN BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND**

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**WHEREAS**, a number of public entities in the State of New Jersey have joined together to form the **Bergen Municipal Employee Benefits Fund**, hereafter referred to as "FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

**WHEREAS**, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

**WHEREAS**, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;

**WHEREAS**, the governing body of Borough of Oakland hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
  - a.) Health Insurance and/or Dental and/or Prescription as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-336

**TITLE:**

**AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CDBG FY2024 FOR JEROME AVENUE PHASE 2 SEWER PROJECT**

**WHEREAS**, a Bergen County Community Development Block Grant in the amount of \$195,000.00 has been proposed by the Borough of Oakland for the Jerome Avenue Phase 2 Drainage Project 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 citizens 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 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 be sent to the Director of the Bergen County Community Development Division so that implementation of the project may be expedited.

### 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 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.



**BE IT FURTHER RESOLVED** that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

**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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-337

**TITLE:**

**AUTHORIZE REFUND OF RECREATION FEES**

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**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>
Faynblut Family	28 Boulder Run, Oakland, NJ 07436	Basketball Fees	90.00

**RECORD OF COUNCIL VOTE:**

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Motion – by Councilman: \_\_\_\_\_ Second – by Councilman: \_\_\_\_\_

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

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-338

### TITLE:

### **AUTHORIZE CONSENT OF TWA APPLICATION HACKENSACK MERIDIAN HEALTH**

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WHEREAS, an application has been made to the Borough of Oakland by Hackensack Meridian Health for the replacement of a malfunctioning septic system for the facility located at 373 Ramapo Valley Road Oakland, NJ 07436

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 Hackensack Meridian Health 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. Hackensack Meridian Health 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. Hackensack Meridian Health 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. Hackensack Meridian Health shall comply with all conditions imposed by the Oakland Board of Health.

H. Hackensack Meridian Health 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 Hackensack Meridian Health 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Deputy Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-339

**TITLE:**

**APPOINT ACTING MUNICIPAL CLERK**

WHEREAS, Wendi Seelin was appointed as Acting Municipal Clerk for a term of up to one-year effective October 2, 2023 at an annual salary of \$ 70,000; and

WHEREAS, the Governing Body desires to make the appointment for a full year and adjust Ms. Seelin's salary;

NOW, THEREFORE, BE IT RESOLVED, that Wendi Seelin be appointed for a term of one year, effective October 2, 2023, at an annual salary of \$ 75,000 in accordance with the provisions of N.J.S.A. 40A:9-133.

### 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-340

**TITLE:**

### HIRE SEASONAL SNOW PLOW OPERATORS

**WHEREAS**, there is a need to hire seasonal snow plow employees for the Department of Public Works; and

**WHEREAS**, the seasonal snow plow employees will be paid the snow rate as specified in the Blue Collar Labor Agreement for which the current snow rate of \$31.00 per hour;

**NOW, THEREFORE, BE IT RESOLVED** the Mayor and Council hereby authorize the hiring of the following seasonal snow plow employee for the Department of Public Works effective December 7, 2023:

Jason Giarratana  
Eugene MacMahon  
Craig Van Deursen  
Brian Kindergan  
Charles Bennett  
Brian Thornton  
Jeff Periera

### 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-341

**TITLE:**

### ACCRUED TIME PAYOUT-DIANE DELGAISO

**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 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 Diane DelGaiso for sick, vacation, personal and compensatory time accumulated in the amount of \$ 7,337.20; 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 \$ 7,337.20 composed of 107.4 hours of vacation time, 224 hours of sick time, and 0 hours of personal time and 0 hours compensatory time be paid out to Diane DelGaiso. Said payment to be paid out of the Accumulated Absence Trust Fund established in 2010 for this purpose.

### 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



**Resolution No: 23-342**

**TITLE:**

**APPOINT TEMPORARY RECREATION SECRETARY**

**WHEREAS**, there is a need to utilize a temporary Secretary to the Recreation Commission during the current Secretary's Leave of Absence; and

**WHEREAS**, the Recreation Aide Rosa Kilpatrick has agreed to fill the Secretary's job responsibilities during this period;

**NOW, THEREFORE, BE IT RESOLVED** that Rosa Kilpatrick is hereby appointed as Temporary Secretary to the Recreation Commission at a stipend of \$ 1200 per year effective November 17, 2023 through April 5, 2024.

**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 6, 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: 23-343

**TITLE:**

**AWARD BID BUSH PLAZA IMPROVEMENTS PHASE 1**

**WHEREAS**, on November 30, 2023, the Borough of Oakland received three (3) bids for the Bush Plaza Improvements Phase 1 project; and

**WHEREAS**, Wogisch Landscape Contractors, 169 Lakewood Avenue, Ringwood, NJ 07456, had the lowest responsive and responsible bid with a base bid of \$ 241,829.34 Alternate Bid A-Fencing bid of \$ 20,000 and Alternate Bid B-Clock bid of \$ 31,565.00 for a total bid \$ 293,394.35; and

**WHEREAS**, the Borough Administrator and Borough Attorney have reviewed the bids and have recommended acceptance of the bid from Wogisch Landscape Contractors; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account # C-04-56-909-101;

**NOW, THEREFORE, BE IT RESOLVED** that the bid of Wogisch Landscape Contractors in the total amount of \$ 293,394.35 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.

### 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 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-344

**TITLE:**

### AUTHORIZE SUBMITTAL OF NJARPA FIREFIGHTER GRANT

**WHEREAS**, the Borough of Oakland desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$69,720.18 to carry out a project to obtain two Turnout Gear Dryers, 1 Washer Extractor, 52 Sets of Rescue PPE and:

**BE IT THEREFORE RESOLVED**, that the Borough of Oakland does hereby authorize the application for such a grant; and,

**BE IT THEREFORE RESOLVED**, The Borough of Oakland recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between The Borough of Oakland the New Jersey Department of Community Affairs

**BE IT FURTHER RESOLVED**, that the Borough Administrator is authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

### 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption December 6, 2023

\_\_\_\_\_  
Linda H. Schwager, Mayor

\_\_\_\_\_  
Wendi Seelin, Acting Borough Clerk

**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**

	<b>Minimum</b>	<b>Maximum</b>
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**

	<b>Minimum</b>	<b>Maximum</b>
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.

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Linda H. Schwager, Mayor

ATTEST:

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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

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**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 15<sup>th</sup> and April 15<sup>th</sup>:
  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 16<sup>th</sup> and October 14<sup>th</sup>,
- 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.

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LINDA H. SCHWAGER, MAYOR

ATTEST:

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Wendi Seelin, Acting Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Bills Resolution 12-6-23

<u>BILLS ALREADY PAID</u>	
PAYROLL	219,720.30
PAYROLL AGENCY	105,190.48
CAPITAL	284.00
TRUST	44.40
CURRENT	6,583,234.11
<b>Total Bills Already Paid</b>	<b>\$ 6,908,473.29</b>
<u>BILLS TO BE PAID</u>	
CURRENT FUND	\$ 503,924.50
WATER OPERATING	\$ 45,218.12
SEWER	\$ 14,350.78
GENERAL CAPITAL	\$ 2,945.62
BOARD OF ADJUSTMENT ESCROW	\$ 2,885.00
ANIMAL CONTROL	\$ 1,350.00
GRANT FUND	\$ 9,356.41
OTHER TRUSTS	\$ 14,154.34
<b>Total Bills to be Paid</b>	<b>\$ 594,184.77</b>

### 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				
<b>MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/></b>									

Date of Adoption: December 6, 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.