# BOROUGH COUNCIL MEETING April 9, 2024

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





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

**EXECUTIVE SESSION** 

## BOROUGH OF OAKLAND **Borough Council Meeting FINAL AGENDA**

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

#### <u>April 9, 2024 – 7:00 p.m.</u>

#### MAYOR: Eric Kulmala

## **BOROUGH COUNCIL:**

Steven Saliani, President Iodi Goffredo John McCann Pat Pignatelli Kevin Slasinski **Russell Talamini** 

6:30 PM

**Executive Session** 

#### **CALL TO ORDER**

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 Eric Kulmala, Councilmembers Goffredo, McCann, Pignatelli, Saliani, Slasinski, Talamini

#### **CERTIFICATES OF ACHIEVEMENT**

7<sup>th</sup> Grade Basketball Awards

#### **MAYOR'S REPORT**

#### **OPEN PUBLIC COMMENT**

Open public comment for members of the public not to exceed 3 minutes per person. Session not to exceed 30 minutes

**PRESENTATION:** 

Affordable Housing Legislation- Caroline Reiter .

#### APPROVAL OF MINUTES

- March 26. 2024- Minutes
- March 26, 2024 Executive Minutes

#### SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS

- Authorize Raffle License #RL1494 for a 50/50 for Parents Athletic Council of Indian Hills to hold on-. premise 50/50 raffles on April 26, 2024 and May 23, 2024 at Indian Hills High School
- Authorize Raffle License #RL1495 for 50/50 for Marine Corps League Detachment 744 on May 4, 2024 at American Legion Bldg. 65 Oak Street, Oakland, NJ

Mayor Eric Kulmala Presiding

Mayor Eric Kulmala

**T&M** Associates

**General Public** 

**Borough Council** 

**Borough Council** 

- Authorize Raffle License # RL1496 for Casino Night for Marine Corps League Detachment 744 on May 4, 2024 at the American Legion Bldg. 65 Oak Street, NJ
- Authorize Social Affairs Permit for Marine Corps League Detachment 744 for Casino Night on May 4, 2024 at the American Legion Bldg, 65 Oak Street, Oakland, NJ
- Authorize Raffle License # RL1497 for Sports Association of Oakland for on May 22, 2024 5PM for the benefit of Oakland Softball held at 24 Lawlor Drive, Oakland, NJ 07436.
- Proclamation Arbor Day April 26, 2024

## Appointment(s) of Borough Professionals for 2024

Tax Attorney

## **Appointment to Access for All:**

Isabel Restivo

## **Appointment Arts Committee:**

• Laura Belle

### 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.

- 24-128: Appoint Vincent Pellegrini as Construction Official
- 24-129: **Appoint Environmental Commission Secretary**
- 24-130: Authorize Promotion-Krystal Berkowitz
- Authorize Promotion-Michelle Murati 24-131:
- Appoint R. Kilpatrick Full-Time Recreation Aide 24-132:
- Authorize Green Team Plant Sale 24-133:
- Authorize Revised Oakland/Franklin Lakes Inter-Local Sewer Agreement 24-134:
- 24-135: Award Contract- CRS Coordinator
- 24-136: Award Contract to Cleary Giacobbe Alfieri Jacobs LLC for Water and Sewer Special Counsel Services

### **ORDINANCES:**

## **Final Adoption**

•	24-CODE-944	An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish
		A Cap Bank Pursuant to N.J.S.A. 40A:4-45.14

## WORK SESSION

## **NEW BUSINESS**

**OLD BUSINESS** 

## **BOROUGH COUNCIL COMMITTEE/LIAISON REPORTS**

### **BILLS TO BE PAID**

**ADJOURNMENT** 

Borough Council

**Borough Council** 

Mayor Eric Kulmala

The next Borough Council Meeting will be held on Tuesday April 30, 2024 at 7:00 p.m. at the Borough of Oakland Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, N.J. 07436





## Resolution No: 24-128

TITLE:

## APPOINT PART TIME CONSTRUCTION OFFICIAL

WHEREAS, Vincent Pellegrini was appointed as Acting Construction Official on May 24, 2023; and

**WHEREAS,** Vincent Pellegrini meets the qualifications for the title and holds the requisite Construction Official License; and

WHEREAS, N.J.A.C. 4A:4 provides for the appointment of officials; and

WHEREAS, Vincent Pellegrini will work a minimum of 14 hours per week; and

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Borough Council of the Borough of Oakland, that Vincent Pellegrini be appointed as the Part Time Construction Official at a rate of \$1,000.00 per week, effective April 10, 2024.

### **RECORD OF COUNCIL VOTE:**

Motion – by Councilman: \_\_\_\_\_

Second – by Councilman: \_\_\_\_\_

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli Talamini										
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## Resolution No: 24-129

TITLE:

### APPOINT ENVIRONMENTAL COMMISSION SECRETARY

WHEREAS, the Environmental Commission is in need to hire a Secretary; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby appoints Alexander Dellatorre as the Secretary to the Environmental Commission at an annual stipend of \$1,200.00 effective April 2, 2024.

### **RECORD OF COUNCIL VOTE:**

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

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## **Resolution No: 24-130**

TITLE:

## AUTHORIZE PROMOTION FOR KRYSTAL BERKOWITZ

WHEREAS, Krystal Berkowitz was hired as a Clerk 1 in the Code Enforcement Department in December 2021; and

WHEREAS, based on her job performance, the Fire Official and Borough Administrator recommend that she be promoted to Clerk 2; and

**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 approve the following promotional recommendation and salary increase effective April 10, 2024:

Krystal Berkowitz, from Clerk 1 to Clerk 2, Annual Salary of \$53,625.00

### **RECORD OF COUNCIL VOTE:**

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

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

#### Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## Resolution No: 24-131

TITLE:

## **AUTHORIZE PROMOTION FOR MICHELLE MURATI**

WHEREAS, Michelle Murati was hired as a Clerk 1 in the Code Enforcement Department in July of 202; and

WHEREAS, she has obtained her Technical Assistant Certification; and

WHEREAS, based on her job performance, the Construction Official and the Borough Administrator recommend that she be promoted to the position of Technical assistant to the Construction Official; and

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 approve the following promotional recommendation and salary increase effective April 10, 2024:

Michelle Murati, from Clerk 1 to TACO, Annual Salary of \$59,125.00

#### **RECORD OF COUNCIL VOTE:**

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

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## **Resolution No: 24-132**

TITLE:

## AUTHORIZE PROMOTION FOR ROSA KILPATRICK

WHEREAS, Rosa Kilpatrick was hired as a part time Recreation Aide, effective July 27, 2020, to assist the Recreation Committee with clerical and administrative tasks; and

WHEREAS, the workload of the position has increased as the programs and activities of the Recreation Committee have expanded; and

**WHEREAS**, the Borough wishes to continue providing the necessary amount of support to the Recreation Committee;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the position of Recreation Aide shall be full time and that Rosa Kilpatrick be employed in the position on a full time basis at an annual salary of \$40,149.00, effective April 10, 2024.

#### **RECORD OF COUNCIL VOTE:**

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

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

#### Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## **Resolution No: 24-133**

### TITLE: **RESOLUTION AUTHORIZING FEE STRUCTURE FOR SUSTAINABLE OAKLAND GREEN TEAM PLANT SALE**

WHEREAS, the Sustainable Oakland Green Team wishes to hold a Pollinator Plant Sale in 2024; and

**WHEREAS**, the fee structure for the plant sale must be established;

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State and New Jersey, that the following fees be established for the Sustainable Oakland Green Team Plant Sale:

- Set of 3 for \$40.00:
- Set of 6 for \$72.00;
- Set of 9 for \$102.00.

#### **RECORD OF COUNCIL VOTE:**

Motion – by Councilman: Second – by Councilman:

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: <u>April 9, 2024</u>

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk



TITLE:

# **BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY**



## **Resolution No: 24-134**

## **RESOLUTION AUTHORIZING ADOPTION OF INTERLOCAL SEWERAGE AGREEMENT WITH FRANKLIN LAKES**

WHEREAS, the Borough of Oakland (the "Borough") is required to adopt an Interlocal Sewerage Agreement with the Borough of Franklin Lakes regarding the Ridings at Ramapo development; and

WHEREAS, an agreement was previously authorized, but requires changes concerning the collection of sewer fees; and

**WHEREAS**, a copy of said agreement is attached as Exhibit A; and

WHEREAS, the Borough desires to authorize the Mayor to execute said agreement

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey that the Interlocal sewerage agreement between the Borough of Oakland and the Borough of Franklin Lakes be executed by the Mayor in accordance with the provisions of law.

**BE IT FURTHER RESOLVED** this resolution shall take effect immediately in accordance with law.

#### **RECORD OF COUNCIL VOTE:**

Motion – by Councilman: Second – by Councilman:

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain		
Goffredo					Saliani						
McCann					Slasinski						
Pignatelli					Talamini						
	MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: <u>April 9, 2024</u>

Eric Kulmala, Mayor

Wendi Seelin, Deputy Borough Clerk





## **Resolution No: 24-135**

#### TITLE:

### AWARD CONTRACT FOR CRS SERVICES

**WHEREAS**, there is a need for services related to the Federal Emergency Management Agency's Community Rating System (CRS) Program and related to the National Flood Insurance Program (NFIP) compliance issues which impact CRS ratings and the ability to maintain and improve discounts under the CRS Program; and

WHEREAS, EcoAdapt Strategies, LLC. has submitted a proposal for services required at a total cost not to exceed \$16,500.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #4-01-20-165-100 in the amount of \$9,000.00 and Account 4-01-20-220-044 in the amount of \$7500.00.

**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 EcoAdapt Strategies, LLC. to perform the services related to the Federal Emergency Management Agency's Community Rating System (CRS) Program and related to the National Flood Insurance Program (NFIP) compliance issues which impact CRS ratings and the ability to maintain and improve discounts under the CRS Program at a cost not to exceed \$16,500.00; 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	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## **Resolution No: 24-136**

# TITLE:

## AWARD CONTRACT TO CLEARY GIACOBBE ALFIERI JACOBS LLC FOR WATER AND SEWER **SPECIAL COUNSEL SERVICES**

WHEREAS, the Borough of Oakland is pursuing discussion with the Northwest Bergen County Utilities Authority for sewer service and has a need for legal expertise related to both the water and sewer utilities; and

**WHEREAS**, it is necessary to seek special counsel to represent the Borough of Oakland in this regard; and

**WHEREAS**, the Borough has received a proposal from John Napolitano and the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC to provide these services; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #4-01-20-155-028; and

WHEREAS, this contract is for professional service for which no public bidding is required; and

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 award a contract to John Napolitano of Cleary, Giacobbe, Alfieri and Jacobs, LLC in an amount not to exceed \$15,000,00; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are authorized to sign 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	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli Talamini										
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌										

Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## Resolution No: 24-137

#### 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 \$450.00; 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 4-01-55-998-006;

**NOW, THEREFORE, BE IT RESOLVED,** that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$450.00 to:

NAME	ADDRESS	SPORT TYPE	AMOUNT
Soltys Family	22 Hopper Street, Oakland, NJ 07436	Summer Camp	75.00
	Blk 3701 Lot 36		
Robert Domski	10 Fox Ct, Oakland, NJ 07436 Blk 3601 Lot 16	Summer Camp	75.00
Linda Bruno	64 Walnut Street Oakland, NJ 07436	Summer Camp	150.00
	Blk 3802 Lot 4		
Brittany Paladino	89 Long Hill Road, Oakland, NJ 07436	Summer Camp	75.00
	Blk 3301 Lot 28		
Harsha Landen	19 Hunters Run, Oakland, NJ 07436	Summer Camp	75.00
	Blk 802 Lot 38		

#### **RECORD OF COUNCIL VOTE:**

Motion – ł	oy Counciln	nan:			Second – by Councilman:					
COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain	
Goffredo					Saliani					
McCann					Slasinski					
Pignatelli					Talamini					
	MAYOR (Tie-Break Vote): Yes 🗌 No 🗌									

Date of Adoption April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk





## **ORDINANCE NO. 24-CODE-944**

#### CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS,** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the governing body of the Borough of Oakland in the County of Bergen finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the governing body hereby determines that a 1 % increase in the budget for said year, amounting to \$176,414.63 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the governing body of the Borough of Oakland in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Oakland shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$617,451.21, and that the CY 2023 municipal budget for the Borough of Oakland be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

> Adopted this \_\_\_\_ day of \_\_\_\_\_, 2024.

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk

This is to certify that this is a true copy of an ordinance Adopted at a Mayor and Council meeting on April 9, 2024.

Wendi Seelin, Acting Borough Clerk

#### **RECORD OF COUNCIL VOTE:**

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

COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Goffredo					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌									





# Resolution No: (4-9-24)

#### **BILLS RESOLUTION**

BILLS ALREADY PAID	
PAYROLL	 210,725.80
PAYROLL AGENCY	115,809.61
GRANT	125,300.51
Water	970.54
CURRENT	180.00
Total Bills Already Paid	\$ 452,986.46
BILLS TO BE PAID	
CURRENT FUND	\$ 97,310.79
WATER OPERATING	\$ 33,324.21
SEWER	\$ 7,042.97
GENERAL CAPITAL	\$ 7,297.50
RECREATION TRUST	\$ 25,169.40
WATER CAPITAL	\$ 131,634.31
GRANT FUND	\$ 2,056.00
OTHER TRUSTS	\$ 3,881.55
Total Bills to be Paid	\$ 307,716.73

#### **RECORD OF COUNCIL VOTE:**

Motion – by Councilman:					Second – by				
COUNCIL	Yes	No	Absent	Abstain	COUNCIL	Yes	No	Absent	Abstain
Goffredo					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				
MAYOR (Tie-Break Vote): Yes 🗌 No 🗌									

Date of Adoption: April 9, 2024

Eric Kulmala, Mayor

Wendi Seelin, Acting Borough Clerk