

BOROUGH COUNCIL MEETING
April 12, 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

April 12, 2023 - 7:00 p.m.

EXECUTIVE SESSION

6:30 P.M.

- Executive Items

CALL TO ORDER

Mayor Linda H. Schwager Presiding

- 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

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.

ARTS IN OAKLAND POETRY CONTEST CERTIFICATES

Mayor Linda H. Schwager

- Arts in Oakland Poetry Contest Certificates Presentation

APPROVAL OF MINUTES

Borough Council

- March 22, 2023
- March 22, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS

Borough Council

- Appointment to Arts Committee
- Appointment to Emergency Management
- Proclamation in Recognition of Mental Health Awareness Month 2023
- Authorize Raffle License #RL1452 to Sports Association of Oakland for On-Premise Cash 50/50 Raffle from June 16, 2023 to June 18, 2023 at 24 Lawlor Drive, Oakland, N.J. 07436

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.

- 23-128:** Resolution in Support of Application for Class I Cannabis Cultivation License in the Borough of Oakland
- 23-134:** Authorize Grant Submittal to FY 2023 NJDCA Historic Trust Preserve New Jersey Historic Preservation Fund Historic Site Management Program for Stream House/Vygeberg Farm Office Building Rehabilitation Design
- 23-135:** Award Contract to Boswell Engineering for Engineering Services for Drainage Improvements Project
- 23-136:** Resolution to Authorize a Non-Binding Ballot Question Related to Permissibility of Cannabis Businesses in the Borough of Oakland
- 23-137:** Resolution Authorizing Fee Structure for Sustainable Oakland Green Team Plant Sale
- 23-138:** Authorize Grant Submittal to FY 2023 Association of New Jersey Environmental Commissions Annual Stewardship Grant Program for Bush Plaza Park Native Plantings Project
- 23-139:** Authorize Purchase of Turnout Gear
- 23-140:** Authorize Auction of Borough Surplus Vehicle and Equipment
- 23-141:** Hire Department of Public Works Seasonal Laborer
- 23-142:** Authorize Accrued Time Payout to Sandra Steele
- 23-143:** Award Contract to Rippled Waters Engineering, LLC for Permit Assistance Services for Ramapo River Restoration Project
- 23-144:** Authorize Refund of Recreation Fee

ORDINANCES:

Final Adoption:

- 23-Code-902:** 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
- 23-Bond-903:** Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Water Utility of the Borough of Oakland, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$3,600,000 to Pay for the Cost Thereof, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds

WORK SESSION

- Revise Permit Parking Code
- Short Term Rentals / Boarding Houses
- Shared Services Agreement with Oakland Board of Education for SLEO III Officers
- Bush Plaza Park Banner
- Proposal for Engineering Services for Bush Plaza Park Project

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

The next Borough Council Meeting will be held on Wednesday April 26, 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: 23-128

TITLE:

**RESOLUTION IN SUPPORT OF APPLICATION FOR CLASS 1 CANNABIS CULTIVATION LICENSE
IN THE BOROUGH OF OAKLAND**

WHEREAS, pursuant to P.L. 2021, c. 16, known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, the Borough of Oakland (“Borough”) adopted ordinance 22-Code-872, which allows for a limited number of cannabis businesses to be located in specific sections of the Borough; and

WHEREAS, the Act established the Cannabis Regulatory Commission (“Commission”) to oversee and regulate the cannabis industry in the State of New Jersey and the Commission promulgated Personal Use Cannabis Rules, N.J.A.C. 17:30-1.1 et. seq. on August 19, 2021; and

WHEREAS, in order for a cannabis business to operate, both State and Local approval are required, including but not limited to the rules promulgated by the New Jersey Cannabis Regulatory Commission and the local licensing requirements under Oakland Borough Code Section 8-3 et seq

WHEREAS, N.J.A.C. 17:30-5.1 requires that a municipalities governing body express its support for a cannabis license applicant through a resolution of the governing body; and

WHEREAS, pursuant to N.J.A.C. 17:30-5.1(g), the support resolution should indicate that the proposed cannabis business location is appropriately located or otherwise suitable for activities related to the operations of the proposed cannabis business; and

WHEREAS, the Borough’s Cannabis License Application Evaluation Committee has received and reviewed the application submitted by Kusala Care, LLC. and has recommended that the Borough Council approve its application and adopt a resolution in support of their application for a State License;

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 as follows:

1. The aforesaid recitals are incorporated herein as though fully set forth at length;
2. The Borough recognizes that Kusala Care, LLC. will be operating a Class I Cannabis Cultivation business involved in the cultivation of cannabis products and that the business location will be 27 Muller Road, Oakland, N.J. 07436 if approved by the State of New Jersey Cannabis Regulatory Commission;
3. Approving Kusala Care, LLC. application for a Class I Cannabis Business License would not exceed the limit established by the Borough for Class I Cannabis Cultivation licenses located in the Borough;
4. Kusala Care, LLC's proposed Class I Cannabis Cultivation Business use and location satisfy the Borough's Zoning and Cannabis Ordinances;
5. Kusala Care, LLC. shall continuously comply with the Borough's ordinances governing cannabis operations and any future applicable changes that may be made thereto;
6. If Kusala Care, LLC. is not in compliance at any time with the Borough's Cannabis Ordinances and any future applicable changes thereto, the Borough reserves the right to withdraw its support for their operations and suspend or revoke their local license;
7. The Borough approves Kusala Care, LLC's application submitted to the Borough and endorses Kusala Care, LLC's application to be submitted to the Commission for a Class I Cannabis Cultivation Business License at the location in the Borough as set forth above, which location is appropriate and suitable for a Class I Cannabis Cultivation License;
8. The Mayor, Borough Administrator, Borough Clerk, Borough Attorney, Chief Financial Officer, and any other necessary official, officer or employee of the Borough be and they are hereby authorized to execute any and all documents and to make any and all actions necessary to complete and realize the intent and purpose of this Resolution;
9. This Resolution shall take effect immediately.

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, 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: 23-134

TITLE:

AUTHORIZE GRANT SUBMITTAL TO FY 2023 NJDCA HISTORIC TRUST PRESERVE NEW JERSEY HISTORIC PRESERVATION FUND HISTORIC SITE MANAGEMENT PROGRAM FOR STREAM HOUSE/VYGEBERG FARM OFFICE BUILDING REHABILITATION DESIGN

WHEREAS, the Borough of Oakland wishes to make application with the New Jersey Department of Community Affairs Preserve New Jersey Historic Preservation Fund Historic Site Management Program for the Stream House/Vygeberg Farm Office Building Rehabilitation Design in the amount of \$61,125.00; and

WHEREAS, the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey hereby authorize the Borough Administrator and his/her designee to sign the assurances and acknowledges the certifications document as required with application; and

WHEREAS, the Borough of Oakland agrees to provide the local match requirement of \$20,375.00 for the aforesaid mentioned grant;

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 the Borough Administrator and his/her designee to submit a grant application in the amount of \$61,125.00 to the New Jersey Department of Community Affairs Preserve New Jersey Historic Preservation Fund Historic Site Management Program for the Stream House/Vygeberg Farm Office Building Rehabilitation Design Project.

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-135

TITLE:

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR
DRAINAGE IMPROVEMENTS PROJECT**

WHEREAS, there is a need for Engineering Services for Drainage Improvements Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated March 17, 2023 for services required at a total cost not to exceed cost of \$25,100.00, broken down as follows:

TASK #1 – Topographic Survey and Mapping

TASK #2 – Design and Bid Services

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-855-301 in the amount of \$25,100.00; 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 engineering services for the Drainage Improvements Project at a cost not to exceed \$150,000.00; 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 <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, 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: 23-136

TITLE:

RESOLUTION TO AUTHORIZE A NON-BINDING BALLOT QUESTION RELATED TO PERMISSIBILITY OF CANNABIS BUSINESSES IN THE BOROUGH OF OAKLAND

WHEREAS, in the 2020 General Election the Borough of Oakland participated in a statewide ballot question which asked, “Do you approve amending the Constitution to legalize a controlled form of marijuana called ‘cannabis’?”; and

WHEREAS, said ballot question received sufficient support to pass and created a pathway to legalization of recreational cannabis in the State of New Jersey;

WHEREAS, subsequently the New Jersey Legislature passed the CREAMM Act which created the statutory mechanism for legalization of recreational cannabis and authorized the Cannabis Regulatory Committee (“CRC”) to adopt rules to effectuate said statutes; and

WHEREAS, the CRC created six (6) recreational classes of cannabis licenses and left authority to individual municipalities as to whether to permit or prohibit any or all of the six (6) classes of licenses within their borders; and

WHEREAS, the citizens of Oakland have not been given the opportunity to vote regarding their opinion on whether or not to allow cannabis businesses within the Borough of Oakland; and

WHEREAS, N.J.S.A. 19:37-1 permits municipalities to authorize by a resolution for a non-binding ballot question to “[a]scertain the sentiment of the legal voters of the municipality or county upon any question or policy pertaining to the government or internal affairs thereof”; and

WHEREAS, the governing body of the Borough of Oakland requests the County Clerk to place a non-binding ballot pursuant to N.J.S.A. 19:37-1 to ascertain the sentiment of the legal voters of Oakland as to the question of whether they support cannabis businesses operating in the Borough of Oakland

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, do hereby submit to the County Clerk of the County of Bergen to place a non-binding ballot question for the November 2023 General Election pursuant to N.J.S.A. 19:37-1 stating as follows:

“Do you support allowing businesses to operate in the Borough of Oakland for cultivation, manufacturing, and distribution of cannabis as defined by New Jersey state statute?”

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-137

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 2023; 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
Kulmala					Saliani				
McCann					Slasinski				
Pignatelli					Talamini				

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-138

TITLE:

**AUTHORIZE GRANT SUBMITTAL TO FY 2023 ASSOCIATION OF NEW JERSEY
ENVIRONMENTAL COMMISSIONS ANNUAL STEWARDSHIP GRANT PROGRAM FOR BUSH
PLAZA PARK NATIVE PLANTINGS PROJECT**

WHEREAS, the Borough of Oakland wishes to make application for the Association of New Jersey Environmental Commissions Grant Program in the amount of \$1,500.00 to help fund native pollinator plantings as part of the Bush Plaza Park Project.

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 the submittal of a grant application in the amount of \$1,500.00 to help fund native pollinator plantings as part of the Bush Plaza Park Project.

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-139

TITLE:

AUTHORIZE PURCHASE OF TURNOUT GEAR

WHEREAS, there is a need to purchase 13 sets of Turnout Gear for the Fire Department: and

WHEREAS, Firefighter One, 34 Wilson drive, Sparta, N.J. 07871 has state Contract #17-FLEET-00811 for the equipment desired for a total amount of \$49,426.00 and;

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-900-101 \$49,426.00 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 authorize the Borough Administrator to issue a purchase order to Firefighter One in the amount of \$49,426.00 for the Turnout Gear as specified in the bid award.

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-140

TITLE:

AUTHORIZE AUCTION OF BOROUGH SURPLUS VEHICLE AND EQUIPMENT

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-36, the Borough of Oakland may sell any personal property; and

WHEREAS, the Mayor and Borough Council of the Borough of Oakland have determined that the property listed in this resolution is no longer needed for public use and wishes to divest said property;

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, as follows:

1. The sale of the surplus property shall be conducted online using Municibid (www.municibid.com) pursuant to New Jersey Local Finance Notice 2008-9. Terms of the agreement are available on the vendor's website and available in the Borough Clerk's Office.
2. The surplus property to be sold is as follows:

<u>YEAR:</u>	<u>MAKE/MODEL:</u>	<u>VIN:</u>	<u>MILEAGE:</u>
2000	Seagrave Ladder Truck	1F9F838JXYCST2006	N/A
7.5' Western Ultra-Mount Plow Inventory # 91			
8' Western Uni-Mount Plow Inventory # 64			
2015 61" Ferris Lawn Mower Serial # 2015340612 Inventory # 30			
2012 61' Ferris Lawn Mower Serial # 2012852741 Inventory # 31			
Bobcat Combi Bucket Model # C-2002JBA Serial # 74-COMBO BKT Serial #431400810			
Clipper Road Saw Model # C-2002JBA Serial # 00F006323			
400- Gallon Brine Tank			
800- Gallon Brine tank			

3. The surplus property as identified shall be sold in 'as is' condition without express or implied warranties.
4. In accordance with N.J.S.A. 39:10-9.1, the certificates of ownership for former police vehicles shall state that the motor vehicles were used as police patrol vehicles and notice is provided that the buyer shall continue to so state on each subsequent sale or transfer
5. The successful bidder will be required to pay in cash or certified check made out to the Borough of Oakland at the time of pickup of the vehicle. The Borough will not deliver the vehicle to the successful bidder.
6. The vehicle is to be transferred and taken off the site within 10 business days after approval of the sale by the Governing Body.

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-141

TITLE:

HIRE DEPARTMENT OF PUBLIC WORKS SEASONAL LABORER

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 the hiring of the following seasonal laborer for the Department of Public Works:

NAME:

Eugene MacMahon

EFFECTIVE DATE:

April 17, 2023

SALARY:

\$19.00/hour

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-142

TITLE:

AUTHORIZE ACCRUED TIME PAYOUT TO SANDRA STEELE

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 Sandra Steele for sick, vacation, personal and compensatory time accumulated in the amount of \$991.83; 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 Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the total sum of \$991.83 composed of 26.82 hours of vacation time, and 3 hours compensatory time be paid out to Sandra Steele. 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				

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-143

TITLE:

**AWARD CONTRACT TO RIPPLED WATERS ENGINEERING, LLC FOR PERMIT ASSISTANCE FOR
RAMAPO RIVER RESTORATION PROJECT**

WHEREAS, there is a need for Permit Assistance Services for the Ramapo River Restoration Project; and

WHEREAS, Rippled Waters Engineering, LLC has submitted a proposal dated March 20, 2023 for services required at a total cost not to exceed cost of \$750.00, broken down as follows:

TASK #1 – New Jersey Department of Environmental Protection Pre-application Meeting

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-691-401 in the amount of \$750.00; and

WHEREAS, Rippled Waters Engineering, LLC 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 Rippled Waters Engineering, LLC to perform permit assistance services for the Ramapo River Restoration Project at a cost not to exceed \$750.00; 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 <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-144

TITLE:

AUTHORIZE REFUND OF RECREATION FEES

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of recreation fees in the amount of \$125.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, State of New Jersey, do hereby authorize a payment to be made in the amount of \$125.00 to:

Esterlis Family
717 Oneida Trail
Franklin Lakes, N.J. 07417

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-902

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO 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 2023 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 \$ 171,826.66 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 \$601,393.31, 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
_____, 2023.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-BOND-903

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,600,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The Borough of Oakland, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements in, by and for the Water Utility of said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized by this ordinance. No down payment is required for this bond ordinance pursuant to the provisions of N.J.S.A. 40A:2-11(c) and 40A:2-7(h). Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (3) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS:

A. Undertaking of various water system treatment improvements at Well Nos. 5, 9 and 10.

Appropriation and Estimated Cost	\$3,000,000
Bonds and Notes Authorized	\$3,000,000
Period of Usefulness	20 years

B. Replacement of water mains at various locations.

Appropriation and Estimated Cost	\$600,000.00
Bonds and Notes Authorized	\$600,000.00
Period of Usefulness	40 years
Aggregate Appropriation and Estimated Cost	\$3,600,000.00
Aggregate Amount of Bonds and Notes Authorized	\$3,600,000.00

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$400,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 6. It is hereby determined and stated that the Water Utility would have been self-liquidating, as defined in Section 47(a) of the Local Bond Law, during the fiscal year beginning January 1, 2022, had there been included in the interest and debt redemption charges for such year an amount equal to interest for one year at the rate of four and one half percentum (4 1/2%) per annum on said bonds or notes, and the amount of the first installment of serial bonds legally issuable to finance such purpose plus an amount for charges as aforesaid with respect to all bonds and notes authorized but not issued for such Water Utility.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$3,600,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$3,600,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 23.33 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$3,600,000, but said \$3,600,000 shall be deducted from gross debt pursuant to Section 44(c) of the Local Bond Law and that the issuance of the bonds and notes authorized by this ordinance is permitted by an exception to the debt limitations prescribed by the Local Bond Law as provided in Sections 47(a) and 7(h) of the Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this 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 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

Adopted this ____ day of
_____, 2023.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (4-12-2023)

TITLE:

BILLS RESOLUTION

BILLS ALREADY PAID:

Payroll	\$190,073.12
Payroll Agency	\$289,539.83
Current	\$3,125.19
Water	\$901.53
Grant	\$0.00
Sewer	\$8,792.99
Trust	\$2,559.60
Capital	\$1,608,533.85
TOTAL BILLS ALREADY PAID:	<u>\$2,109,526.11</u>

BILLS TO BE PAID:

Current Fund	\$333,369.55
Water Operating	\$31,124.03
Sewer	\$23,431.65
General Capital	\$574,412.35
Water Capital	\$246,002.63
Sewer Capital	\$0
Grant	\$4,584.55
Animal Control	\$1,530.00
Other Trusts	\$21,663.94
TOTAL BILLS TO BE PAID:	<u>\$1,236,118.70</u>

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: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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