

BOROUGH COUNCIL MEETING
November 9, 2022

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:
Eric Kulmala
John McCann
Pat Pignatelli
Steven Saliani
Kevin Slasinski
Russell Talamini

November 9, 2022 - 7:00 p.m.

Executive Session 6:30 P.M.

- Executive Items

Call to Order

Mayor Linda H. Schwager Presiding

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

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.

Presentation and Discussion on Cannabis Cultivation License

Kusala Care, LLC.

22-290: Resolution in Support of Application for Class I Cannabis Cultivation License in the Borough of Oakland

Approval of Minutes

Borough Council

- October 26, 2022
- October 26, 2022 Executive Session

Special Announcements/Appointments/Raffles/Requests

Borough Council

- Appointment to Environmental Commission
- Appointment to Recreation Commission
- Authorize Raffle License #RL1442 for Midland Park Elementary School Parent Teacher Organization for On-Premise 50/50 Cash Raffle on November 19, 2022 at Holiday Bowl, 29 Spruce Street, Oakland, N.J. 07436

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.

22-285: Authorize Grant Agreement for Bergen County Community Development Block Grant CDBG-CV Phase III for Senior Center Furniture

- 22-286: Authorize Grant Submittal to Bergen County Community Development Block Grant CDBG-CV Phase IV for Senior Center Outdoor Furniture
- 22-287: Award Bid for Solid Waste, Recycling, and Vegetative Waste Collection to Suburban Disposal, Inc.
- 22-288: Authorize Strategic Plan Submittal to Bergen County Department of Health Services for FY24 Municipal Alliance Program
- 22-289: Award Contract to Boswell Engineering for Engineering Services for 2023 Road Resurfacing Program
- 22-291: Authorize Lien on 81 Lakeview Terrace
- 22-292: Authorize Transfers between Budget Appropriations
- 22-293: Authorize Purchase of Fire Chief's Vehicle
- 22-294: Renew Shared Service Agreement for Lending of Vehicles and Equipment
- 22-295: Authorize UECA Agreement with New Jersey Department of Transportation for Interstate 287 Improvement Project
- 22-296: Authorizing Execution of Settlement Agreement Between the Borough of Oakland and the New Jersey Department of Environmental Protection to Resolve Penalty Liability at the Skyview/Hibrook Sewage Treatment Plant
- 22-297: Authorize Grant Agreement for Bergen County Community Development Block Grant CDBG FY22 for River Road Improvements
- 22-298: Authorize Change Order #1 for Oakwood Knolls, Chapel Hill, and Skyview/Hibrook Treatment Plants Decommissioning Project

Ordinances	<i>Borough Council</i>
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Introduction:

- 22-Code-896: An Ordinance Establishing Business Insurance Registry
- 22-Capital-897: Capital Ordinance to Amend Section 2 of the Capital Ordinance 22-Capital-885

Final Adoption:

- 22-Code-893: An Ordinance Amending Chapter 59 of the Code of the Borough of Oakland, Entitled "Land Use and Zoning"

Work Session

- Short Term Rentals/Boarding Houses
- Recreation Fee Amendments
- Review Best Practices Inventory

New Business

Old Business

Council Committee/Liaison Reports	<i>Borough Council</i>
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Open Public Comment	<i>General Public</i>
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Open public comment for members of the public not to exceed 3 minutes per person. Session not to exceed 30 minutes.

Bills to be Paid	<i>Borough Council</i>
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Adjournment

The next Borough Council Meeting will be held on ***Tuesday*** November 22, 2022 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: 22-290

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; and

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, County of Bergen, 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: November 9, 2022

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: 22-285

TITLE:

**AUTHORIZE GRANT AGREEMENT FOR BERGEN COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT CDBG-CV PHASE III FOR SENIOR CENTER FURNITURE**

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$11,000.00 in 2022 Community Development Block Grant funds for Oakland Senior Center Furniture at the Oakland Senior Center;

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be signatories for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the Borough Administrator to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council recognize that the Borough of Oakland is liable for any funds not spent in accordance with the grant agreement, and that liability of the Mayor and Borough Council is in accordance with HUD requirements.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-286

TITLE:

**AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK
GRANT CDBG-CV PHASE IV FOR SENIOR CENTER OUTDOOR FURNITURE**

WHEREAS, a Bergen County Community Development Grant of \$13,000.00 has been proposed by the Borough of Oakland for Oakland Senior Center Outdoor Furniture in the Borough of Oakland; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Oakland; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds; and

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 shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid 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				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-287

TITLE:

**AWARD BID FOR SOLID WASTE, RECYCLING, AND VEGETATIVE WASTE COLLECTION TO
SUBURBAN DISPOSAL, INC.**

WHEREAS, on September 20, 2022, the Borough of Oakland received one (1) bid with respect to the collection services of solid waste and recyclable materials; and

WHEREAS, the Borough of Oakland has determined to select Solid Waste Alternate #1, which will provide for garbage collection twice a week; and

WHEREAS, the Borough of Oakland has determined to select Recycling Alternate #1, which will provide for comingled collection on alternating weeks; and

WHEREAS, after review, it has been determined that Suburban Disposal, Inc. has submitted a responsive and responsible bid; and

WHEREAS, the Borough of Oakland has further determined to award the contract for solid waste and recycling collection for a period from January 1, 2023 through December 31, 2025, in the total amount payable as follows:

<u>YEAR:</u>	<u>GARBAGE:</u>	<u>RECYCLING:</u>	<u>YARD WASTE:</u>	<u>TOTAL:</u>
2023	\$894,000.00	\$455,000.00	\$304,000.00	\$1,653,000.00
2024	\$921,000.00	\$467,000.00	\$313,000.00	\$1,701,000.00
2025	\$967,000.00	\$488,000.00	\$329,000.00	\$1,784,000.00
<u>TOTAL:</u>	\$2,782,000.00	\$1,410,000.00	\$946,000.00	\$5,138,000.00

WHEREAS, the Chief Financial Officer has certified that funds are available in the Account #X-01-26-305-078 from appropriation in the 2023 budget and future budgets, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the contract for the collection of solid waste, recyclable materials, and vegetative waste is hereby awarded to Suburban Disposal, Inc.;

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to sign a contract with Suburban Disposal, Inc. for the collection of solid waste, recyclable materials, and vegetative waste in the amount of \$5,138,000.00 for a period from January 1, 2023 through December 31, 2025;

BE IT FURTHER RESOLVED, that the Borough Clerk be and is hereby authorized and directed to maintain a copy of this resolution and the contract for public inspection.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-288

TITLE:

AUTHORIZE STRATEGIC PLAN SUBMITTAL TO BERGEN COUNTY DEPARTMENT OF HEALTH SERVICES FOR FY24 MUNICIPAL ALLIANCE PROGRAM

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Oakland Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$4,507.18
Cash Match	\$1,126.80
In-Kind	\$3,380.39

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-289

TITLE:

AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR 2023 ROAD RESURFACING PROGRAM

WHEREAS, there is a need for Engineering Services for the 2023 Road Resurfacing Program; and

WHEREAS, Boswell Engineering has submitted a proposal dated October 24, 2022 for the engineering services required at a total cost not to exceed cost of \$23,500.00, broken down as follows:

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-885-701 for \$23,500.00; 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 hereby authorize Boswell Engineering to perform the engineering services for the 2023 Road Resurfacing Program at a cost not to exceed \$23,500.00;

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: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-291

TITLE:

AUTHORIZE LIEN ON 81 LAKEVIEW TERRACE

WHEREAS, the Borough of Oakland Property Maintenance Officer has advised that the property located at 81 Lakeview Terrace and identified as Block 2518 Lot 16 on the Tax Assessment Map of the Borough of Oakland was in violation of the Borough's property maintenance code; and

WHEREAS, the property owner of the premises was notified by the Borough on several occasions respecting the condition of the property and the need to remedy same consistent with the requirements of the Borough's property maintenance code 10-3.1 et seq.; and

WHEREAS, the Borough was compelled to provide labor and expend significant costs totaling \$305.60 in order to clean up the property at 81 Lakeview Terrace; and

WHEREAS, the property maintenance code of the Borough of Oakland permits the imposition of the lien in the nature of additional taxes in such case; and

WHEREAS, a report dated October 25, 2022 detailing the work performed and expenses incurred has been provided to the Borough Administrator who has approved the cost and expenses.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland that the Tax Collector be and is hereby directed to charge as additional real property taxes to the owner of the property located at 81 Lakeview Terrace the sum of \$305.60 being the amount due pursuant to the report dated October 25, 2022.

BE IT FURTHER RESOLVED, that a copy of the report and this resolution approving the expenses and costs shall be certified by the Borough Clerk and filed with the Tax Collector of the Borough, who shall be responsible for the collection of same.

BE IT FURTHER RESOLVED, that a copy of the report, along with a certified copy of this resolution, shall be sent to the owner of the property of 81 Lakeview Terrace by certified mail, return receipt requested.

BE IT FURTHER RESOLVED, that the Tax Collector shall take whatever actions are necessary and reasonable in accordance with statutory law.

RECORD OF COUNCIL VOTE:

Motion - by Councilman: _____ Second - by Councilman: _____

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-292

TITLE:

AUTHORIZE TRANSFER BETWEEN BUDGET APPROPRIATIONS

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Calendar Year 2022 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Calendar Year 2022 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland that, based on the recommendation of the Chief Financial Officer, the following transfers be made to the Calendar Year 2022 Current Fund budget:

<u>CURRENT FUND:</u>	<u>FROM:</u>	<u>TO:</u>
2-01-25-240-014 Police Overtime	<u>\$17,000.00</u>	
Sub-total	\$17,000.00	
2-01-26-310-024 Bldg &Gr Park & Rec Facility Maint		\$7,500.00
2-01-26-310-026 Bldg &Gr Repairs & Maint		\$7,500.00
2-01-20-120-021 Mun Clerk – Print Advertising		<u>\$2,000.00</u>
Sub-total		\$17,000.00

RECORD OF COUNCIL VOTE:

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

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

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Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-293

TITLE:

AUTHORIZE PURCHASE OF FIRE CHIEF'S VEHICLE

WHEREAS, the Borough of Oakland is a member of the Houston-Galveston Area of Governments (HGAC) purchasing program, a national purchasing cooperative; and

WHEREAS, HGAC published notice soliciting sealed competitive bids on April 2, 2020 for a variety of fire apparatus and awarded a contract (#AM10-20) to 1075 Emergency Lighting, LLC. d.b.a. 10-75 Emergency Vehicles for Ambulances, EMS, and Other Special Service Vehicles for the period October 1, 2020 through September 30, 2022; and

WHEREAS, P.L. 2011 c 139 (the "Law" or "Chapter 139") allows local contracting units to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services (DLGS) has published LFN 2012-10, a Local Finance Notice detailing guidance to contracting units desiring to purchase under the Law; and

WHEREAS, the Borough Administrator and Fire Chief are satisfied that the procurement conducted by HGAC and the contract awarded to 10-75 Emergency Vehicles. with the associated documentation submitted by both HGAC and Ford are compliant with the guidance in LFN 2012-10; and

WHEREAS, the total purchase price is \$73,695.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-561-831-109; and

WHEREAS, the Borough Attorney has reviewed this procurement and concurs with the procurement through the national cooperative contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, as follows:

1. The Borough of Oakland is authorized to purchase from the HGAC National Cooperative Contract.
2. The proposal submitted by 10-75 Emergency Vehicles in accordance with HGAC contract #AM10-20 in the amount of \$73,695.00 is hereby accepted.

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"/>									

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Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-294

TITLE:

RENEW SHARED SERVICE AGREEMENT FOR LENDING OF VEHICLES AND EQUIPMENT

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland that the Borough shall renew the Shared Services Agreement “Lending of Vehicles and Equipment” with the Borough of Franklin Lakes and the Township of Wyckoff, for a one-year term to expire on December 31, 2023 with an automatic one-year renewal option; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized and directed to execute the 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				
MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-295

TITLE:

**AUTHORIZE UECA AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR INTERSTATE 287 IMPROVEMENT PROJECT**

WHEREAS, the New Jersey Department of Transportation will undertake the design and construction of Interstate 287, Route 202 to the Ramapo River located in Montville Township, Kinnelon Borough, Pequannock Township, Riverdale Borough in Morris County; Bloomingdale Borough, Pompton Lakes Borough, Wanaque Borough in Passaic County; and Oakland Borough in Bergen County, hereinafter called the "Project"; and

WHEREAS, the Project may require the construction of new, and/or the protection, relocation, and/or adjustment of facilities of the existing water and sewer system which is owned and operated by the Utility; and

WHEREAS, the Utility's legal right to occupy public right-of-way, subject to the conditions imposed by the State, is in no way mitigated by the Agreement; and

WHEREAS, Utility is not obligated by State law or agreement to relocate its own facilities as its own expense for this type of Project; and

WHEREAS, the provisions of the State's Accommodation of Utilities within Highway Right of Way N.J.A.C. 16:25 and Code of Federal Regulations, 23 C.F.R. 645, Subpart B are applicable;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Clerk is hereby authorized to execute the Municipal Utility Engineering and Construction Agreement for the Interstate 287, Route 202 to Ramapo River Project with the New Jersey Department of Transportation, in the form attached hereto.

RECORD OF COUNCIL VOTE:

Motion - by Councilman: _____ Second - by Councilman: _____

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

Date of Adoption: November 9, 2022

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-296

TITLE:

AUTHORIZING EXECUTION OF SETTLEMENT AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO RESOLVE PENALTY LIABILITY AT THE SKYVIEW-HIBROOK SEWAGE TREATMENT PLANT

WHEREAS, the Borough of Oakland (the “Borough”) owns and operates the facility known as the Skyview-Hibrook Sewage Treatment Plant (the “Skyview-Hibrook STP”), located on Lakeside Boulevard; and

WHEREAS, the New Jersey Department of Environmental Protection (the “Department”) issued a New Jersey Pollutant Discharge Elimination System Permit No. NJ0021342 (the “NJPDES Permit”) for the Skyview-Hibrook STP to the Borough in June 2017; and

WHEREAS, the Borough previously submitted monitoring results for the Skyview-Hibrook STP, which exceeded the NJDPES Permit effluent limitations and the Department issued a violation for same; and

WHEREAS, the Borough is obligated to pay a civil administrative penalty for the violation, pursuant to N.J.S.A. 58:10A-10(d) and N.J.A.C. 7:14-8.1, et seq.; and

WHEREAS, the Department has proposed a Settlement Agreement requiring the Borough to pay \$1,000.00 in settlement for the accrued penalty liability; and

WHEREAS, the Borough’s professionals recommend acceptance of the Settlement Agreement; and

WHEREAS, the Borough has determined that it is in the best interest of the Borough to enter into the Settlement Agreement with the Department to resolve the accrued penalty liability for the Skyview-Hibrook STP.

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

1. The Mayor and Borough Clerk, or any other official, officer or employee of the Borough be and are hereby authorized to execute the Settlement Agreement in the form annexed to this Resolution, and to take any and all actions necessary to complete and realize the intent and purpose of this Resolution.
2. Certified copies of this Resolution shall be provided to John A. Napolitano, Special Counsel.

RECORD OF COUNCIL VOTE:

Motion - by Councilman: _____ Second - by Councilman: _____

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

Date of Adoption: November 9, 2022

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: 22-297

TITLE:

**AUTHORIZE GRANT AGREEMENT FOR BERGEN COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT CDBG FY22 FOR RIVER ROAD IMPROVEMENTS**

BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$101,331.50 in 2022 Community Development Block Grant funds for the River Road Improvements Project;

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be signatories for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council hereby authorizes the Borough Administrator to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Council recognize that the Borough of Oakland is liable for any funds not spent in accordance with the grant agreement, and that liability of the Mayor and Borough Council is in accordance with HUD requirements.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 9, 2022

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: 22-298

TITLE:

**AUTHORIZE CHANGE ORDER #1 FOR OAKWOOD KNOLLS, CHAPEL HILL,
SKYVIEW/HIBROOK TREATMENT PLANTS DECOMMISSIONING PROJECT**

WHEREAS, a contract was awarded to Pacific Construction in the amount of \$5,531,500.00 for the Oakwood Knolls, Chapel Hill, Skyview/Hibrook Treatment Plants Decommissioning Project; and

WHEREAS, the following Change Order #1 has been requested:

Change in Method of Installing Pipe Route 202 Railroad Crossing \$108,669.47

WHEREAS, the Change Order #1 has been reviewed and recommended by Boswell Engineering; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-08-56-817-301;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize Change Order #1 for an increase of \$108,669.47 for a total contract amount of \$5,640,169.47.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 9, 2022

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



ORDINANCE NO. 22-CODE-896

AN ORDINANCE ESTABLISHING BUSINESS INSURANCE REGISTRY

WHEREAS, Governor Murphy signed P.L. 2022, c.92. on August 5, 2022, which requires business owners and rental unit owners to maintain certain liability insurance policies and to register the compliant certificate of insurance with the municipality annually in which the business or rental units are located; and

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

SECTION 1. Chapter 23 of the Code of the Borough of Oakland, entitled "Business Insurance Registration", is added as follows:

SECTION 23 BUSINESS INSURANCE REGISTRATION

SECTION 23.1 Business insurance registration required. It is unlawful for any owner of a business, owner of a rental unit or units, or the owner of a multi-family home of four or fewer units, one of which is owner occupied, to operate within the Borough without first registering its certificate of insurance demonstrating compliance with Section 1 of P.L. 2022, c. 92.

SECTION 23.2 Entities covered by this Chapter. The following entities are required to register their certificate of insurance under this Chapter:

- a. Businesses, which shall mean, any person intending to sell or dispose of or to offer to sell or dispose of any goods, wares, merchandise or render any services for fees within the Borough. This shall include businesses operating on a temporary basis within the Borough such as peddlers, solicitors, and transient vendors licensed pursuant to Borough Code Chapter 4 and temporary retail food establishments and mobile food units licensed pursuant to Borough Code Chapter 2-4.6.
- b. Owners of single rental dwelling units.
- c. Owners of multiple dwelling rental units.
- d. Owners of multi-family homes that include rental units, even where one unit is owner-occupied.

SECTION 23.3 Registration official. The Borough Clerk shall accept, approve, and file registration applications, and collect registration fees hereunder.

SECTION 23.4 Registration Fees; Expiration; Renewal. There shall be no registration fee. Registrations shall expire on December 31 of each year. Renewals must be submitted by December 1 of each year. After the effective date of this Section, entities covered under this Section shall be required to register by December 1, 2022 and such registration shall be valid for the 2023 calendar year.

SECTION 23.5 Application and Insurance Requirements.

An application for a business insurance registration shall be filed with the Borough Clerk upon forms provided by the Borough Clerk. It shall contain the following information:

- a. Name and address of the applicant. If the applicant is a corporation, the name and address of its registered agent.
- b. The address of the rental dwelling units or business as applicable. If the registration applies to a transient business or a mobile food unit, a general description of the time frame for operation and area where the business will be operated
- c. A description of the nature of the business and the goods, property or services to be sold or supplied.
- d. A certificate of insurance reflecting the following amounts of insurance in compliance with P.L. 2022, c. 92.
 - a. Except as provided in subsection ii. of this section, the owner of a business or the owner of a rental unit or units shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.
 - b. The owner of a multifamily home, which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Adopted this ___ day of _____, 2022.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 22-CAPITAL-897

CAPITAL ORDINANCE TO AMEND SECTION 2 OF THE CAPITAL ORDINANCE (ORD. NO. 22-885) ENTITLED: "CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$4,765,250 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH - \$1,470,153, FROM THE GENERAL CAPITAL FUND BALANCE - \$400,000 AND FROM VARIOUS GRANTS - \$2,895,097."

BE IT ORDAINED by the Borough Council of the Borough of Oakland, in the County of Bergen, State of New Jersey, as follows: Section 1. Section 2 of Ordinance No. 22-885 entitled: "**CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$4,765,250 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH - \$1,470,153, FROM THE GENERAL CAPITAL FUND BALANCE - \$400,000 AND FROM VARIOUS GRANTS - \$2,895,097.**" adopted by the Borough Council of the Borough of Oakland, in the County of Bergen, New Jersey (the "Borough") on June 8, 2022 (the "Prior Ordinance") is hereby amended to change the funding for the appropriation of the Capital Improvement Fund of the Borough from \$1,470,153 to \$1,230,153. Section 2 of the Prior Ordinance is further amended to include the Municipal Open Space Fund as a source from which said appropriation shall be raised. The appropriation from the Municipal Open Space Fund shall be \$240,000; and the Prior Ordinance shall hereafter read as follows: "[Section 2] The sum of \$4,765,250 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and de-scribed in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund, the Municipal Open Space Fund, the General Capital Fund Balance of the Borough and government grants. The sum of \$1,230,153 is hereby appropriated from the Capital Improvement Fund of the Borough, \$240,000 is hereby appropriated from the Municipal Open Space Fund of the Borough and \$400,000 is hereby appropriated from the General Capital Fund Balance of the Borough to the payment of the cost of said purpose. The following government grants (aggregating to \$2,895,097) received or to be received by the Borough are hereby appropriated as follows: (A) \$1,352,000 from the Federal Government's American Recovery Plan Act to finance the cost of the Streets and Road Program described in Section 1.D hereof; (B) \$27,347 from the Bergen County Historic Preservation Grant program to finance the costs of the Van Allen House Interior described in Section 1.E hereof; (C) \$1,228,750 from the Bergen County Flood Plain Acquisition Grant program to finance the costs of the Flood Buyouts - Phase 3 Lenape Lane described in Section 1.E hereof; (D) \$87,000 from the Bergen County Park Improvement Grant program to finance the costs of Roosevelt Park Improvements described in Section 1.E hereof; and (E) \$200,000 from the Bergen County Park Improvement Grant program to finance the costs of Truman Field Improvements described in Section 1.E hereof."

Section 2. The capital budget is hereby amended to conform with the provisions of this amendatory bond 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 3. This ordinance shall take effect at the time and in the manner as provided by law twenty days after the first publication thereof after final passage.

Adopted this ___ day of
_____, 2022.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 22-CODE-893

AN ORDINANCE AMENDING CHAPTER 59 OF THE CODE OF THE BOROUGH OF OAKLAND, ENTITLED "LAND USE AND ZONING"

WHEREAS, the Borough of Oakland (the "Borough") has previously adopted Chapter 59 of the Code of the Borough of Oakland entitled "Land Use and Zoning"; and

WHEREAS, the Borough desires to amend Chapter 59 entitled "Land Use and Zoning" Section 13 entitled "Fees" of the Borough Code to modify the certain fees associated with land use and zoning applications to the Borough; and

WHEREAS, the Borough Council has determined it appropriate to amend said ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Oakland that the current language of Chapter 59 entitled "Land Use and Zoning", Section 13 entitled "Fees" of the Borough Code, is hereby amended as follows (additions in **bold** and deletions marked by "—"):

§59.13 Fees.

There is hereby established in connection with various applications for development and other matters which are the subjects of this chapter the following schedule of fees, which shall be paid by the appropriate parties:

- A. Copy of the decision of the governing body to the interested party in connection with an appeal pursuant to § 59-9: \$10.
- B. Publication in a newspaper of the decision of the governing body on an appeal pursuant to § 59-9: cost of publication.
- C. Development applications.
 - (1) Sketch plat, simple lot line change: \$25.
 - (2) Sketch plat, three lots or less: \$100 plus \$25 for each lot in excess of one lot.
 - (3) Sketch plat, more than three lots: a minimum charge of \$250 plus \$50 for each lot in excess of three lots.
 - (4) Preliminary plat: \$250, plus \$50 per lot.
 - (5) Final plat: minimum charge of \$250 and \$50 for each lot in excess of one lot.
 - (6) Site plans. (Note: For purposes of determining the site plan fee, if only a portion of a property is to be developed and said property can be further subdivided under the requirements of this chapter, the lot area shall be construed to be an area which can be subdivided under the requirements of this chapter wherein all proposed buildings and improvements would meet all required setback

and yard requirements. When a site plan for a new building or structure or addition thereto does not involve off-street parking, traffic circulation or drainage facilities, the site plan filing fee as it pertains to lot area shall apply only to the ground floor area of the building or structure.)

(a) Preliminary site plan: \$200 plus \$2.50 per 1,000 square feet of lot area or part thereof, plus \$2 per 100 square feet of proposed building floor area or part thereof.

(b) Final site plan: \$100 plus \$1.25 per 1,000 square feet of lot area or part thereof, plus \$1 per 100 square feet of proposed building floor area or part thereof.

(7) Application for a change to the classification or boundaries of a zoning district: \$500.

D. Conditional use applications: \$350 plus \$2.50 per 1,000 square feet lot area or part thereof, plus \$2 per 100 square feet of building area or part thereof.

E. Variances and appeals.

(1) Appeals from decision of the Zoning Enforcement Official pursuant to § 59-25A: \$100.

(2) Interpretation of Zoning Map or zoning regulations or for decision on other special questions pursuant to § 59-25B: \$100.

(3) Variances pursuant to § 59-25C from lot area, lot dimensional, setback and yard requirements: ~~\$200~~ **\$250** plus ~~\$25~~ **\$50** for each additional variance requested. However, in the case of application under Section 59-25C for a variance solely to construct a deck or fence upon residential property, the application fee shall be \$100.

(4) Variances from use regulations pursuant to § 59-25D: \$500 per acre or a part thereof involved in the application.

(5) Direction pursuant to § 59-25F for issuance of a permit for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area reserved on an Official Map: \$150.

(6) Direction pursuant to § 59-25G for issuance of a permit for a building or structure not related to a street: \$150.

F. Escrow deposit for inspection fees.

(1) In addition to the required application fees established herein, the applicant shall be required to establish one or more escrow accounts with the Borough of Oakland to cover the reasonable costs of professional review and consultation.

(2) Said escrow fees shall be required for:

(a) Preliminary subdivision approval.

(b) Final subdivision approval.

(c) Any subdivision requiring conditional use approval.

(d) Any subdivision requiring site plan approval.

(e) Any subdivision requiring planned development approval.

- (f) Any subdivision requiring a variance of any type.
- (g) Any major site plan.
- (h) For any variance application ~~in which the Board of Adjustment determines in its sole discretion that it~~ requires the professional services of the Borough Engineer or other borough consultant to fully and properly consider the application.
- (i) Any application for a certificate of occupancy before the Planning Board as required by Section 59-106 of this chapter.
- (j) Application for a change to the classification or boundaries of a zoning district.

(3) Upon receipt of an application for ~~one of the~~ **the items set forth in subsections (F)(2)a, b, c, d, e, f, g, i and j** above, the approving authority secretary shall send a copy of the application and one set of all maps and reports to the Borough Engineer, the planning consultant, the approving authority attorney and any other professionals whose services are deemed necessary in connection with the application. Within seven days of receipt of same, said professionals shall submit an estimate of funds sufficient in amount to undertake technical reviews and findings of fact relative to the application at hand. ~~Such estimated fees shall be approved by the approving authority.~~ The applicant shall deposit, forthwith upon demand, funds to meet such estimates, which funds shall be required to be placed in an escrow account by the Treasurer of the Borough of Oakland to be used as follows:

- (a) The Borough Engineer, planning consultant, approving agency attorney, water and sewer consultants and any other professionals engaged shall submit vouchers for all necessary fees for examination and review, which fees shall be paid in the ordinary manner.
- (b) Any of the aforesaid moneys left in the escrow account, upon completion of the project or phase of the application procedure, as the case may be, shall be returned to the applicant as ~~soon as it is practicably possible~~ **upon written request and confirmation from the construction department and any professionals engaged that all requirements of the application have been met and all professional invoices have been paid.**
- (c) Should additional funds be required after the original funds are exhausted, such funds as shall, in the judgment of the approving authority, be necessary shall be paid by the applicant to the Treasurer of the Borough of Oakland and placed in the appropriate account or accounts.
- (d) Upon receipt of sufficient funds for the escrow account, the approving authority secretary shall notify the Borough Engineer, planning consultant, approving authority attorney, water and sewer consultants and any other professionals engaged that all appropriate examinations and reviews shall be undertaken.
- (e) The approving authority shall take no formal action unless all application fees and escrow funds have been paid to the Borough of Oakland.

(4) The initial Escrow fees for a variance application as required by subsection (F)(2)(h) above shall be established at four (4) times the total fees for the application. The applicant shall deposit these escrow fees along with the application, which funds shall be required to be placed in an escrow account by the Treasurer of the Borough of Oakland to be used as follows:

- (a) The Borough Engineer, planning consultant, approving agency attorney, water and sewer consultants and any other professional engaged shall submit vouchers for all necessary fees for examination and review, which fees shall be paid in the ordinary manner.
- (b) Any of the aforesaid funds left in the escrow account upon completion of the project or phase of the application procedure, as the case may be, shall be returned to the applicant upon written request and confirmation from the construction department and any professionals engaged that all requirements of the application have been met and all professional invoices have been paid.
- (c) Should additional funds be required after the original escrow funds are exhausted, such funds as shall, in the judgment of the approving authority, be necessary shall be paid by the applicant to the Treasurer of the Borough of Oakland and placed in the appropriate account or accounts.
- (d) Upon receipt of funds for the escrow account, the approving authority secretary shall notify the Borough Engineer, planning consultant, approving authority, water and sewer consultants and any other professionals engaged that all appropriate examinations and reviews may be undertaken or resumed.
- (e) The approving authority shall take no formal action unless all application fees and escrow funds have been paid to the Borough of Oakland.

G. Advertising fees. An advertising fee in the amount of \$50 shall be submitted by an applicant for a land use application for the costs incurred by the borough for publication fees.

H. Tax Map correction fee.

- (1) Minor subdivision fee for tax map changes: \$250;
- (2) Major subdivision fee for Tax Map changes: \$100 per lot.

These fees are payable at the time the subdivision map or deed is submitted for signature.

I. Special Meetings. In the event that an Applicant requests a Special Meeting of either the Planning Board of the Board of Adjustment, the Applicant shall pay a fee of \$2,000.00 to cover the costs of the Special Meeting.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Adopted this ___ day of _____, 2022.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (11-09-2022)

TITLE:

BILLS RESOLUTION

BILLS ALREADY PAID:

Payroll	\$197,838.71
Payroll Agency	\$101,464.02
Current	\$2,603.00
Water	\$1,500.00
Grant	\$0.00
Sewer	\$0.00
Trust	\$9.60
Capital	\$0.00
TOTAL BILLS ALREADY PAID:	<u>\$303,415.33</u>

BILLS TO BE PAID:

Current Fund	\$420,980.20
Water Operating	\$13,603.55
Sewer	\$20,767.50
General Capital	\$81,933.95
Water Capital	\$236.25
Sewer Capital	\$0.00
Grant	\$0.00
Animal Control	\$0.00
Other Trusts	\$1,014.86
TOTAL BILLS TO BE PAID:	<u>\$538,536.31</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: November 9, 2022

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.