

BOROUGH COUNCIL MEETING
November 8, 2023

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



BOROUGH OF OAKLAND
NEW JERSEY



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

BOROUGH OF OAKLAND

Borough Council Meeting

FINAL AGENDA

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

MAYOR:
Linda H. Schwager

BOROUGH COUNCIL:
Steven Saliani, *President*
Eric Kulmala
John McCann
Pat Pignatelli
Kevin Slasinski
Russell Talamini

November 8, 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

ENGINEER'S REPORT

Borough Engineer

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.

APPROVAL OF MINUTES

Borough Council

- October 25, 2023
- October 25, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS

Borough Council

- Request for Banner Placement at Bush Plaza for Oakland Father's Club for Pictures with Santa from November 9, 2023 to December 4, 2023
- Authorize Raffle License #RL1469 for PTA Midland Park Elementary School for Raffle on November 18, 2023 at Holiday Bowl 29 Spruce Street, Oakland, NJ 07436 for the benefit of Midland Park PTA.

RESOLUTIONS **Borough Council**

All Resolutions listed shall be acted upon by a single motion unless a member of the Governing Body requests specific items be pulled from the Consent Agenda for separate action.

- 23-317:** Award Bid to Conquest for Water Main Improvements to Lakeside Boulevard
- 23-318:** Award Contract to Boswell Engineering Seminole Construction Management
- 23-319:** Authorize Grant Agreement Jerome Avenue Sewer Improvement
- 23-320:** Authorize Grant Agreement Senior Center Improvements
- 23-321:** Appoint Electrical Sub Code Official
- 23-322:** Authorize Tax Appeal Settlement P & T Company
- 23-323:** Award Auction Bids
- 23-324:** Budget Transfer
- 23-325:** Refund of Recreation Fees
- 23-326:** Resolution Authorizing the Issuance of Requests for Qualifications for Professional Services to the Borough of Oakland for Tax Appeal Attorney and Affordable Housing Attorney

ORDINANCES:

Final Adoption:

- **23-Water Capital-931:** 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 Water Utility of the Borough, Appropriating Therefor The Sum of \$800,000 and Providing That Such Sum So Appropriated Shall Be Raised From the Water Utility Capital Improvement Fund of the Borough.

Introduction:

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

WORK SESSION

NEW BUSINESS

OLD BUSINESS

BOROUGH COUNCIL COMMITTEE/LIAISON REPORTS **Borough Council**

OPEN PUBLIC COMMENT **General Public**

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

| |
|-------------------------|
| BILLS TO BE PAID |
|-------------------------|

| |
|------------------------|
| <i>Borough Council</i> |
|------------------------|

| |
|--------------------|
| ADJOURNMENT |
|--------------------|

The next Borough Council Meeting will be held on **Tuesday November 21, 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: 23-317

TITLE:

AWARD BID TO CONQUEST FOR WATER MAIN IMPROVEMENTS TO LAKESIDE BOULEVARD

WHEREAS, bids were received on October 17, 2023 for the Water Main Improvements to Lakeside Boulevard; and

WHEREAS, Conquest has submitted the lowest responsive and responsible bid with a total bid price of \$589,106.00; and

WHEREAS, the Borough Administrator, Borough Engineer, and Borough Attorney have reviewed the bids and recommend the bid be awarded to Conquest; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-06-56-931-204 in the amount of \$589,106.00,

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 bid from Conquest in the total amount of \$589,106.00 be accepted; and

BE IT FURTHER RESOLVED, that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

RECORD OF COUNCIL VOTE:

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

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-318

TITLE:

AWARD CONTRACT TO BOSWELL ENGINEERING FOR CONSTRUCTION INSPECTION SERVICES FOR THE IMPROVEMENTS TO SEMINOLE AVENUE, PHASE III FROM CALUMET TO HIAWATHA BOULEVARD

WHEREAS, there is a need for construction inspection services for the improvements to Seminole Avenue, Phase III from Calumet Avenue to Hiawatha Boulevard; and

WHEREAS, Boswell Engineering has submitted a proposal dated November 2, 2023 for services required at a total cost not to exceed cost of \$29,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-885-702 in the amount of \$29,000.00; and

WHEREAS, Boswell Engineering has complied with the Borough of Oakland's Pay to Play requirements as outlined in Ordinance 12-CODE-669 adopted on July 11, 2012; and

WHEREAS, the award of the contract is for a professional service for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize Boswell Engineering to perform the construction inspection services for the water main improvements on River Road at a cost not to exceed \$29,000.00; 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 No

Date of Adoption November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-319

TITLE:

AUTHORIZE GRANT AGREEMENT JEROME AVENUE SEWER IMPROVEMENT

BE IT RESOLVED, that the Mayor and Council of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$163,750.00 in 2023-2024 Community Development Block Grant funds for \$163,750.00, contract term 10/1/2023-9/30/2024 Jerome Avenue Sewer Improvement, Jerome Avenue Oakland, NJ; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes the Borough Administrator to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and 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 Council recognizes that Oakland is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of Oakland at a meeting on November 8, 2023.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Deputy Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-320

TITLE:

AUTHORIZE GRANT AGREEMENT SENIOR CENTER IMPROVEMENTS

BE IT RESOLVED, that the Mayor and Council of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$16,000.00 in 2023-2024 Community Development Block Grant funds for \$16,000.00, contract term 10/1/2023-6/30/2024 Senior Center Improvements, 20 Lawlor Drive Oakland, NJ; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes the Borough Administrator to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and 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 Council recognizes that Oakland is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

This resolution was adopted by the Mayor and Council of Oakland at a meeting on November 8, 2023.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Deputy Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-321

TITLE:

APPOINT ELECTRICAL SUB CODE OFFICIAL

WHEREAS, there presently exists a vacancy in the position of Electrical Sub Code Official; and

WHEREAS, a job search was conducted and the Construction Official and Borough Administrator recommend Jason Francese, be hire to fill the position

Whereas: Jason Francese meets the qualifications for the title and holds the requisite Electrical Sub Code Official License; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Jason Francese be appointed as the part time Electrical Sub Code Official at an annual salary of 18,000.00 effective Wednesday, November 9, 2023.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting 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: 23-322

TITLE:

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEALS ENTITLED
P & T COMPANY, LP V. BOROUGH OF OAKLAND**

WHEREAS, P & T Company, LP is the owner and/or taxpayer of real property designated as Block 3903, Lot 77 on the official Tax Map of the Borough of Oakland and located at 306 Ramapo Valley Road for tax years 2022 and 2023; and

WHEREAS, the taxpayer has filed property tax appeals against the Borough of Oakland for tax years 2022 and 2023, in matters entitled P & T Company, LP v. Borough of Oakland, which are presently pending in the Tax Court of New Jersey; and

WHEREAS, the Borough Assessor and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Borough; and

WHEREAS, the total estimated refund for the proposed settlement is \$5,776.51 (calculated using the 2022 general tax rate); and

WHEREAS, the Borough of Oakland wishes to accept the proposed settlement offer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Borough of Oakland is hereby authorized to accept the proposed settlement offer for the matter entitled P & T Company, LP v. Borough of Oakland, so that for the tax year 2022, the assessment of \$732,500 will be reduced to \$625,000; and so that for the tax year 2023, the assessment of \$763,100 will be reduced to \$625,000; resulting in a total estimated refund to the taxpayer of \$5,776.51 (calculated using the 2022 general tax rate).

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and Borough’s Tax Appeal Attorney are hereby authorized and directed to execute any other documents necessary to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED that the refund will be made without any interest to the taxpayer, as long as payment is made within 90 days of the date of Judgment.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting 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: 23-323

TITLE:

AWARD AUCTION BIDS

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 previously authorized the sale of surplus vehicle(s) and equipment via online public auction; and

WHEREAS, said auction took place and the Governing Body now wishes to approve the winning bids.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that the winning bids and amounts thereof are hereby approved for the following:

| <u>VEHICLE/EQUIPMENT</u> | <u>WINNING BIDDER</u> | <u>WINNING BID PRICE</u> |
|---|-----------------------|--------------------------|
| Air Conditioning Machine | Brian Grochowicz | \$733.00 |
| Certified Salt/Brine Control Screens and Panels | David Fernandes | \$150.00 |
| Certified Salt/Brine Control Screens and Panels | David Fernandes | \$160.00 |
| Certified Salt/Brine Control Screens and Panels | David Fernandes | \$310.00 |
| Certified Power Salt/Brine Control Screen | David Fernandes | \$76.00 |
| 2-16' Aluminum Ladders | John Van Buren | \$57.00 |
| 2-28' Aluminum Ladders | John Van Buren | \$78.00 |
| 2-35' Aluminum Ladders | John Van Buren | \$79.00 |
| 1-Billy Goat Brush Cutter | William Hilbrunner | \$435.00 |
| 10-8' Pro Plow Blades | Robert La Ferrara | \$303.00 |
| Certified Salt/Brine Control Screens and Panels | David Fernandes | \$110.00 |

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-324

TITLE:

AUTHORIZE TRANSFER BETWEEN BUDGET APPROPRIATIONS

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Calendar Year 2023 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 2023 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 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 2023 Current Fund budget:

| <u>Current Fund</u> | | From | To |
|---------------------|------------------------------|---------------------|----|
| 3-01-26-301-011 | Grgbe & Tr – Recycling Coord | \$ 49,000.00 | |
| 3-01-20-100-014 | Admin – Overtime | \$ 500.00 | |
| 3-01-31-460-001 | Gasoline | <u>\$ 20,000.00</u> | |
| Sub-total | | \$ 69,500.00 | |

| | | |
|------------------|------------------------------|---------------------|
| 3-01-26-290-011 | St & Roads – Perm. Full Time | \$ 24,000.00 |
| 3-01-26-301-011 | Stormwater – Perm. Full Time | \$ 20,000.00 |
| 3-01-26-315-011 | Vehicle – Perm. Full Time | \$ 5,000.00 |
| 3-01-28-370-140 | Recreation - Administration | \$ 5,000.00 |
| 3-01-28-370-156 | Recreation - Summer Camp | \$ 3,000.00 |
| 3-01-27-333-100 | Access – Miscellaneous | \$ 500.00 |
| 3-01-26-370-156 | Recreation – Summer Sports | <u>\$ 12,000.00</u> |
| Sub-total | | \$ 69,500.00 |

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-325

TITLE:

AUTHORIZE REFUND OF RECREATION FEES

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

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

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

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

| <u>NAME</u> | <u>ADDRESS</u> | <u>SPORT TYPE</u> | <u>AMOUNT</u> |
|----------------|---------------------------------------|-------------------|---------------|
| Craig Sheppard | 35 Lakeshore Drive, Oakland, NJ 07436 | Basketball | 90.00 |
| | | | |

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-326

TITLE:

RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES TO THE BOROUGH OF OAKLAND FOR TAX APPEAL ATTORNEY AND AFFORDABLE HOUSING ATTORNEY

WHEREAS, as of January 1, 2006, N.J.S.A. 19:44A-20.1 et seq., commonly known as the “State Pay to Play” law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award contracts with a value in excess of \$17,500.00 to a business entity which has made reportable contributions in excess of \$200.00, in the aggregate, to any candidate’s committee of any person serving in an elective public office of the said municipality when such contract was awarded, unless said business entity is awarded a contract under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualifications (hereinafter the “RFQ”) with ten (10) calendar days’ notice prior to the receipt of responses to the RFQ; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Oakland (hereinafter the “Borough”) to engage legal, financial and engineering professionals and the Borough desires to appoint such professionals for 2024 by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, County of Bergen and State of New Jersey that Requests for Qualifications for professional services for the following professional services for the Borough and its agencies are hereby authorized:

1. Tax Appeal Attorney
2. Affordable Housing Attorney

BE IT FURTHER RESOLVED, that all of the Requests for Qualifications for the professional services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all such RFQs shall be evaluated on the basis of the most advantageous RFQ, all factors considered, including, but not limited to: (1) experience and reputation in the profession; (2) knowledge of the subject matter to be addressed under contract; (3) availability to accommodate any required meetings of the Borough or Borough Agency; (4) and any other factors if demonstrated to be in the best interest of the Borough or Borough Agency.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: November 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting 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 #23-Water Capital - 931**

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 WATER UTILITY OF THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$800,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND OF THE BOROUGH.

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

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

(A) **General Water System Improvements and Acquisitions**

Various water system upgrades, acquisitions, and repairs including but not limited to:

Replacement of anode systems
Acquisition of water meters
Electrical upgrades
Scheduled parts / system replacements

Estimated Cost Total: **\$200,000**

(B) **Water Main Replacements**

Replacement of various water mains

Estimated Cost Total: **\$600,000**

Section 2. The sum of \$800,000 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Water Utility Capital Improvement Fund of the Borough. The sum of \$800,000 is hereby appropriated from the Water Utility Capital Improvement Fund of the Borough to the payment of the cost of said purpose.

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

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

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

Linda H. Schwager, Mayor

ATTEST:

_____ Date: _____
Wendi Seelin, Acting Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-932

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

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

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

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

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

9-1.2 Prohibited Activities.

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

Section II. All other parts, portions and provisions of Chapter 9 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

Section III. The terms of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional, said finding shall not affect any other part, portion or provision thereof.

Section IV. This Ordinance shall take effect immediately upon final passage and publication according to law.

Adopted this ___ day of _____, 2023

ATTEST:

BOROUGH OF OAKLAND
COUNTY OF BERGEN
STATE OF NEW JERSEY

By: _____
Wendi Seelin, Deputy Borough Clerk

By: _____
Linda H. Schwager, Mayor

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

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

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

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

Street & Road Improvements

| | |
|--------------------------|--------------|
| 2024 Annual Road Program | \$ 1,325,000 |
|--------------------------|--------------|

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

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

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

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

Date:

Linda H. Schwager, Mayor

ATTEST:

Wendi Seelin, Acting Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (11-8-23)

TITLE:

BILLS RESOLUTION

BILLS ALREADY PAID:

| | |
|----------------------------------|----------------------------|
| Payroll | \$221,375.21 |
| Payroll Agency | \$112,028.62 |
| Current | \$700.00 |
| Water | \$2,000.00 |
| Grant | \$2,164.00 |
| Sewer | \$0.00 |
| Trust | \$0.00 |
| Capital | \$0.00 |
| TOTAL BILLS ALREADY PAID: | <u>\$338,267.83</u> |

BILLS TO BE PAID:

| | |
|--------------------------------|------------------------------|
| Current Fund | \$2,178,326.32 |
| Water Operating | \$10,073.91 |
| Sewer | \$6,803.19 |
| General Capital | \$928,857.69 |
| Water Capital | \$5,650.82 |
| Other Trusts | \$35,714.25 |
| COAH | \$10,260.80 |
| Grant Fund | \$8,702.00 |
| Animal Control | \$2,695.00 |
| TOTAL BILLS TO BE PAID: | <u>\$3,187,083.98</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 8, 2023

Linda H. Schwager, Mayor

Wendi Seelin, Acting Borough Clerk

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