

**BOROUGH COUNCIL MEETING**  
**December 7, 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](http://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

**December 7, 2022 - 7:00 p.m.**

**Executive Session 6:00 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.*

**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*

- November 22, 2022

**Special Announcements/Appointments/Raffles/Requests** *Borough Council*

- Recognize 2022 Oakland Braves Pee Wee Football Championship and Cheerleaders
- Authorize Raffle License #RL1443 for Indian Hills High School PTSO to hold On-Premise Raffle for Merchandise from March 3, 2023 to March 5, 2023 at 97 Yawpo Avenue, Oakland, N.J. 07436
- Authorize Raffle License #RL1444 for Indian Hills High School PTSO to hold Off-Premise 50/50 Cash Raffle on March 5, 2023 at 97 Yawpo Avenue, 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.*

**22-306:** Authorize Chapter 159 for National Opioid Settlement  
**22-307:** Authorize Hire of Department of Public Works Laborer

- 22-308:** Authorize Grant Submittal to Bergen County Community Development Block Grant CDBG FY2023 for Pleasureland Area Drainage Project
- 22-309:** Resolution Ratifying the Sidebar Agreement between Borough of Oakland and United Public Service Employees Union (Oakland Blue Collar Employees) Regarding 2023 Election Day Observed Holiday
- 22-310:** Resolution Ratifying the Sidebar Agreement between Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees) Regarding 2023 Election Day Observed Holiday
- 22-311:** Authorize Refund of Recreation Fees
- 22-312:** Authorize Cell Tower Co-Location Agreement
- 22-313:** Requesting Permission for the Dedication by Rider for Borough of Oakland Senior Center Year End Event Dedicated Donations as Required by N.J.S.A. 40A:5-29
- 22-314:** Authorize Release of Escrow Funds
- 22-315:** Authorize Refund of Taxes Due to Overpayment
- 22-316:** Cancel General Capital Balances

<b>Ordinances</b>	<i>Borough Council</i>
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**Final Adoption:**

- 22-Code-898:** An Ordinance Amending and Supplementing Chapter IX, Recreation Facilities and Recreation Areas, Subchapter 9-2.3, Entitled “Fee and Permit Schedule for Use of Fields and Roller Hockey Rink” to Provide for the Use of Facilities and the Fee Schedule Thereof

**Introduction:**

- 22-Code-899:** An Ordinance Amending and Supplementing Chapter XIII, Section 10 of the Borough Code, Entitled “Fee Schedule” and Section 13 Entitled, “Charges and Fees”

<b>Work Session</b>
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- Historic Preservation Commission/Committee Analysis

<b>New Business</b>
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<b>Old Business</b>
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<b>Council Committee/Liaison Reports</b>	<i>Borough Council</i>
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<b>Open Public Comment</b>	<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.*

<b>Bills to be Paid</b>	<i>Borough Council</i>
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<b>Adjournment</b>
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The next Borough Council Meeting will be held on Wednesday December 21, 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**

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

Date of Adoption: December 7, 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: 22-306

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR NATIONAL OPIOID SETTLEMENT**

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**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Oakland has received National Opioid Settlements in the amount of \$11,098.83 for the purpose of combating opioid abuse here in the Borough by investing in opioid use prevention programs, and wishes to amend its 2022 budget to include this amount as a revenue,

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oakland hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue from:

Miscellaneous Revenues:  
Special Items of General Revenue Anticipated with Prior Written  
Consent of Director of Local Government Services - Public and  
Private Revenues Offset with Appropriations:  
National Opioid Settlements

**BE IT FURTHER RESOLVED** that a like sum of \$11,098.83 be and the same is hereby appropriated under the caption of:

General Appropriations:  
 (A) Operations - Excluded from "CAPS"  
 Public and Private Appropriations Offset by Revenues:  
     National Opioid Settlements  
     Other Expenses - \$11,098.83

**BE IT FURTHER RESOLVED** that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

**RECORD OF COUNCIL VOTE:**

Motion - by Councilman: \_\_\_\_\_ Second - by Councilman: \_\_\_\_\_

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
 Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-307

**TITLE:**

**AUTHORIZE HIRE OF DEPARTMENT OF PUBLIC WORKS LABORER**

**WHEREAS**, the Borough of Oakland wishes to hire a Laborer for the Department of Public Works; and

**WHEREAS**, the Borough Administrator and Superintendent of Public Works recommend that Matthew Cecchini be appointed to the Laborer position; and

**WHEREAS**, the Mayor and Borough Council believes such action to be in the best interest of the Department and Community;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland does hereby hire Matthew Cecchini as a Laborer in the Department of Public Works effective December 19, 2023 at an annual salary of \$42,453.00.

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-308

**TITLE:**

**AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK  
GRANT CDBG FY2023 FOR PLEASURELAND AREA DRAINAGE PROJECT**

**WHEREAS**, a Bergen County Community Development Block Grant in the amount of \$270,000.00 has been proposed by the Borough of Oakland for the Pleasureland Area Drainage Project in the municipality of Oakland; and

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

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

**WHEREAS**, this resolution does not obligate the financial resources of the municipality, and is intended solely to expedite expenditures of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, County of Bergen, State of New Jersey, hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the Director of the Bergen County Community Development Division so that implementation of the project may be expedited.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-309

**TITLE:**

**RESOLUTION RATIFYING THE SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND UNITED PUBLIC SERVICE EMPLOYEES UNION (OAKLAND BLUE COLLAR EMPLOYEES) REGARDING 2023 ELECTION DAY OBSERVED HOLIDAY**

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

**WHEREAS**, the parties’ have agreed that for the 2023 Calendar Year, Election Day will be observed on July 3, 2023 to afford Union members extended time off over the Independence Day weekend; and

**WHEREAS**, the holiday schedule will return to normal and Election Day will be observed on the designated date of November 5, 2024 for the Calendar Year 2024 and thereafter; and

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

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

**NOW, THEREFORE, BE IT RESOLVED,** that the Borough Council of the Borough of Oakland hereby ratifies the sidebar agreement between the Borough of Oakland and United Public Service Employees Union, which hereby authorizes Election Day be observed on July 3, 2023 for the 2023 Calendar Year, and further authorizes the Mayor to execute the sidebar agreement on behalf of the Borough of Oakland.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 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: 22-310

**TITLE:**

**RESOLUTION RATIFYING THE SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND UNITED PUBLIC SERVICE EMPLOYEES UNION (OAKLAND WHITE COLLAR EMPLOYEES) REGARDING 2023 ELECTION DAY OBSERVED HOLIDAY**

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

**WHEREAS**, the parties’ have agreed that for the 2023 Calendar Year, Election Day will be observed on July 3, 2023 to afford Union members extended time off over the Independence Day weekend; and

**WHEREAS**, the holiday schedule will return to normal and Election Day will be observed on the designated date of November 5, 2024 for the Calendar Year 2024 and thereafter; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Oakland hereby ratifies the sidebar agreement between the Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees), which hereby authorizes Election Day be observed on July 3, 2023 for the 2023 Calendar Year, and further authorizes the Mayor to execute the sidebar agreement on behalf of the Borough of Oakland.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-311

**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 \$115.00; 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 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 \$115.00 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>SPORT TYPE</u>	<u>AMOUNT</u>
Dudas Family	20 Chesnut Avenue, North Haledon, N.J. 07508	Roller Hockey	\$115.00

**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: December 7, 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: 22-312

**TITLE:**

**AUTHORIZE CELL TOWER CO-LOCATION AGREEMENT**

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**WHEREAS**, a Lease Agreement was entered into with Sprint Spectrum, LP, the predecessor in interest to SBA 2012 TC Assets, LLC ("SBA") on September 29, 2002 for the installation of wireless telecommunications facility at the Thornton Road Water Tank Site; and

**WHEREAS**, Paragraph 3 of the lease agreement provides for the collocation on the wireless telecommunications facility; and

**WHEREAS**, pursuant to the terms of the Lease Agreement, fifty (50%) percent of any rent received by SBA for such collocation is to be paid to the Borough; and

**WHEREAS**, SBA has negotiated an agreement with Dish Wireless LLC; and

**WHEREAS**, such agreement provides for the payment of \$1,999.90 per month to SBA with a 2 percent annual increase; and

**WHEREAS**, SBA has requested that the Borough approve the agreement with Dish Wireless LLC for collocation on the Thornton Road Water Tank wireless telecommunications facility.

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

1. The Supplement to the Master Lease Agreement entered into between SBA 2012 TC Assets, LLC and Dish Wireless LLC is hereby approved, subject to receipt of the sum of \$999.95 per month for such collocation pursuant to the lease agreement with SBA.
2. The additional rent to be received as a result of the Supplement to the Master Lease Agreement is to be paid by SBA with its monthly lease payments, subject to adjustment of 2 percent per year when effective.

**BE IT FURTHER RESOLVED** this approval is subject to the review and approval by the Borough Attorney of the executed Supplement to the Master Lease Agreement between SBA and Dish Wireless LLC;

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be provided to SBA.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-313

**TITLE:**

**RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR BOROUGH OF OAKLAND SENIOR CENTER YEAR END EVENT DEDICATED DONATIONS AS REQUIRED BY N.J.S.A. 40A:5-29**

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**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

**WHEREAS**, N.J.S.A. 40A:5-29 provides for receipt of funds from gifts, bequests, and donations by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Borough of Oakland's Senior Center Year End Event Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements;

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to place funds received for the Borough of Oakland's Senior Center Year End Event in a specified fund to be considered a dedication by rider to the budget in accordance with N.J.S.A. 40A:4-39 for Senior Center Year End Event.
2. The Municipal Clerk of the Borough of Oakland is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-314

**TITLE:**

**AUTHORIZE RELEASE OF ESCROW FEES**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a release of escrow funds in the amount of \$850.00; 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 Escrow Account #T-26-00-022-010;

**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 \$850.00 to:

Peter Brandt	Block 3701
55 Ryerson Avenue	Lot 54
Oakland, N.J. 07436	

**RECORD OF COUNCIL VOTE:**

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

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

**MAYOR (Tie-Break Vote):** Yes  No

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 22-315

**TITLE:**

**AUTHORIZE REFUND OF TAXES DUE TO OVERPAYMENT**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of taxes in the amount of \$707.96; 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-01-55-998-002;

**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 \$707.96 to:

Adam Brown	Block 4911
734 Howard Road	Lot 3
Ridgewood, N.J. 07450	

**RECORD OF COUNCIL VOTE:**

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

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

**MAYOR (Tie-Break Vote):** Yes  No

Date of Adoption: December 7, 2022

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 22-CODE-898

**AN ORDINANCE AMENDING AND SUPPLEMENTING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND CHAPTER IX, RECREATION FACILITIES AND RECREATION AREAS, SUBCHAPTER 9-2.3, ENTITLED "FEE SCHEDULE FOR ACTIVITIES," AND SUBCHAPTER 9-2.4, ENTITLED "FEE AND PERMIT SCHEDULE FOR USE OF FIELDS AND ROLLER HOCKEY RINK" TO PROVIDE FOR THE USE OF FACILITIES AND THE FEE SCHEDULE THEREOF**

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

**Section 1.** Chapter IX of the Revised General Ordinances of the Borough of Oakland, Subchapter 9-2.3 Fee Schedule for Activities, be and the same, is hereby amended and supplemented in its entirety as follows:

The following fees shall be charged in connection with participation in the Borough's recreation activities:

### **Adult Sports**

### **Fee**

Basketball	\$82*
Volleyball	\$92*
Roller Hockey	\$52*

### **Baseball**

### **Fee**

Kindergartener	\$60*
1st-2nd Graders	\$70*
3rd-4th Graders	\$90*
5th-6th Graders	\$90*
7th-9th Graders	\$112*

### **Basketball**

### **Fee**

1st & 2nd Grade	\$40*
3rd-8th Grade	\$82*
Girls Travel Only	\$197*
Boys Travel Only	\$197*

**Rec and Open Camp**

	<b><u>Fee</u></b>
6 week Camp (Total)	\$467*
3 week Camp (Total)	\$292*
2 <sup>nd</sup> Session Only	\$302*
3 <sup>rd</sup> child and all after	\$257*
4 <sup>th</sup> child and all after	No Fee
1 week of Day Camp - Non July 4 <sup>th</sup> week	\$110*
1 week of Day Camp - July 4 <sup>th</sup> week only	\$100*
Open Camp (1st week)	\$245
Open Camp weeks 2-6	\$280

**Cheerleading**

	<b><u>Fee</u></b>
All Age Groups	\$147*
Competition Cheerleading	\$200

**Football**

	<b><u>Fee</u></b>
Flag - K-1st Grades	\$65*
Tackle - All grades 2nd-8th	\$217*

**Golf**

	<b><u>Fee</u></b>
All Age Groups	\$122*

**Roller Hockey**

	<b><u>Fee</u></b>
2nd-3rd Graders	\$82*
4th-12th Graders	\$127*

**Tennis**

	<b><u>Fee</u></b>
All Age Groups	\$92*

**Soccer**

	<b><u>Fee</u></b>
Kindergarteners	\$67*
1st-4th Graders	\$67*
5th-12th Graders	\$82*

<b><u>Softball</u></b>	<b><u>Fee</u></b>
1st-2nd Grades	\$70*
3rd-4th Grades	\$90*
5th-8th Graders	\$110*
Travel - 3/4th, 12u and 14U	\$195*
Travel - 16U	\$102*
Travel - 18U	\$32*

<b><u>Wrestling</u></b>	<b><u>Fee</u></b>
All Age Groups	\$150*

<b><u>Travel Baseball</u></b>	<b><u>Fee</u></b>
8u	\$132*
9u	\$182*
10u	\$182*
11u	\$267*
12u	\$297*
13u	\$362*
14u	\$362*
Fall Travel - All Levels	\$70

<b><u>Summer Sports Camps</u></b>	<b><u>Fee</u></b>
Softball	\$125
Baseball - One Week	\$125
Baseball - 2 <sup>nd</sup> Week/Sibling	\$115
Baseball - 3 <sup>rd</sup> Week	\$105
Football Camp	\$125
Boys Basketball Camp	\$200
Girls Basketball Camp	\$200
Lacrosse Camp	\$125
Track Camp	\$125

<b><u>Mountain Bike Program</u></b>	\$47*
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<b>Special Needs Football</b>	\$10
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<b>Special Needs Cheerleading</b>	\$5
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<b><u>Volleyball Summer Camp</u></b>	\$125
<b><u>Volleyball Youth Program</u></b>	
One Day for 6 Weeks	\$125*
Two Days for 6 weeks	\$200*
<b>TGA Half Day Sports Camp - per week</b>	\$168
<b>TGA Full Day Sports Camp - per week</b>	\$258
<b>Cheerleading Camp</b>	\$168
<b>Spring Break Half Day Camp</b>	\$138
<b>Spring Break Full Day Camp</b>	\$210
<b>Lacrosse - Competitive 3<sup>rd</sup>-6<sup>th</sup> Grade</b>	\$132*
<b>Lacrosse Clinic Grade 3<sup>rd</sup> - 6<sup>t</sup></b>	\$75*
<b>HS Lacrosse</b>	\$67*

*Late Fees* The Recreation Commission shall impose a late fee in the amount of thirty dollars (\$30.00) for any registration after the deadline established by the Commission for that particular recreational activity except for recreation and open camp.

*Recreation Capital Improvement Fee (Cap Fee).* All persons participating in the above recreation programs, in addition to registration fees set forth above, shall also pay the sum of eight dollars (\$8.00) per program, as indicated above, which shall be dedicated to capital and/or maintenance improvement of the recreation facilities. Said eight (\$8.00) dollar fee shall be segregated into a separate account for this purpose. If a participant plays recreation and travel for the same sport, only one (1) capital improvement fee should be paid. The capital improvement fee shall not apply to open camp registration, (but will apply to recreation and summer camp) or to activities that take place at non-borough facilities. Programs requiring payment of the Cap Fee are designated by an asterisk next to the fee.

**Section 2.** Chapter IX of the Revised General Ordinances of the Borough of Oakland, Subchapter 9-2.4 "Fee and Permit Schedule for Use of Fields and Roller Hockey Rink", be and the same, is hereby amended and supplemented in its entirety as follows:



The following fees shall be charged in connection with the usage of the Borough's recreation facilities:

**Use**

Fields and Roller Rink:

Rate per field/rink usage up to 5:59 p.m.	\$200 for 3-hour block Rate
per field/rink usage after 6:00 p.m. - 10:45 p.m.	\$400 for 3-hour block
Danny Delia Building Daily Fee	\$50

Exceptions:

Men's Oakland League full season	\$1,200
Oakland Industrial League full season	\$1,200 Oakland
private elementary & high school field usage	\$50 per event
Oakland Strikers	\$50 per event

**Section 3.** Should any part, portion or provision of this ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part thereof.

**Section 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Section 5.** This ordinance shall take effect immediately upon publication and final passage according to 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-CODE-899

### ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE, ENTITLED "FEE SCHEDULE" AND SECTION 13 ENTITLED "CHARGES AND FEES"

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**WHEREAS**, the Borough of Oakland operates a water and sewer system as a municipal utility which must be self-sustaining; and

**WHEREAS**, the Water Quality Accountability Act requires purveyors to create and implement an asset management plan designed to inspect, maintain, repair, and renew its infrastructure consistent with standards established by the American Water Works Association. In addition, the Act also specifies a methodology for routinely testing of valves and fire hydrants; and

**WHEREAS**, compliance to the requirements of the Water Quality Accountability Act will generate increased operating and capital expenses; and

**WHEREAS**, increases in the costs of goods and services for the water utility due to inflation and increases in costs associated with labor and various other contracted services have increased overall operating and capital expenses for the utility; and

**WHEREAS**, in the event of revenue shortfalls, rates must be raised in order to keep the utility solvent;

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

**Section I.** Chapter 13, Section 10.2 of the Borough of Oakland Code entitled "Minimum Charges" be and the same is hereby repealed and replaced with the following:

#### **13-10.2 Minimum Charge.**

Effective January 1, 2022 each customer shall pay a minimum charge of fifty-two dollars and zero (\$52.00) cents per quarter on the account, which charge shall entitle the customer to utilize up to six thousand (6,000) gallons of water. In the event that a customer commences or ceases to require services, during such portion of a quarter that it would be inequitable to charge the full minimum quarterly charge, the aforesaid amount shall be prorated as nearly as possible at the rate of sixteen dollars and sixty-six (\$17.33) cents which entitled the user to two thousand (2,000) gallons of water per month. In any event, any customer owning a home in Oakland for a minimum of one (1) year, using water supplied by the Borough, shall be required to pay a minimum of two hundred dollars and zero (\$208.00) cents per year.

**Section II.** Chapter 13, Section 10.3 of the Borough of Oakland Code entitled "Water and Sewer - Fee Schedule - Charges Over Minimum" be and the same is hereby repealed and replaced with the following:

#### **13-10.3 Charges Over Minimum.**

Effective January 1, 2022, customers who use in excess of six thousand (6,000) gallons per quarter shall pay, in addition to the minimum charge set forth in subsection 13-10.2, the sum of four dollars and five (\$4.05) cents for each one thousand (1,000) gallons used in a quarter above six thousand (6,000) gallons, up to ten thousand (10,000) gallons; the sum of five dollars and fourteen (\$5.14) cents for each one thousand gallons used in a quarter above ten thousand (10,000) gallons up to twenty-five thousand (25,000) gallons; the sum of five dollars and seventy (\$5.70) cent for each one thousand gallons used in a quarter above twenty-five thousand (25,000) gallons up to fifty thousand (50,000) gallons; and the sum of seven dollars and twenty-four (\$7.24) cents for each one thousand gallons used in a quarter above fifty thousand (50,000) gallons up to one hundred thousand (100,000) gallons. For each one thousand (1,000) gallons used in a quarter above one hundred thousand (100,000) gallons, the customer shall pay eight dollars and seventy-eight (\$8.78) cents per one thousand (1,000) gallons.

**Section III.** All other parts, portions and provisions of Chapter 13 of the Borough of Oakland Code be and the same are hereby ratified and confirmed, except where inconsistent with the terms hereof. In the event of any such inconsistency, the terms of this Ordinance shall be deemed to govern.

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

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

Adopted this \_\_\_\_ day of  
\_\_\_\_\_, 2022.

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

\_\_\_\_\_  
Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (12-7-2022)

**TITLE:**

**BILLS RESOLUTION**

**BILLS ALREADY PAID:**

Payroll	\$194,048.60
Payroll Agency	\$93,634.27
Current	\$4,301,933.84
Water	\$1,000.00
Grant	\$0.00
Sewer	\$4,846.79
Trust	\$0.00
Capital	\$0.00
<b>TOTAL BILLS ALREADY PAID:</b>	<b><u>\$4,595,363.50</u></b>

**BILLS TO BE PAID:**

Current Fund	\$126,764.48
Water Operating	\$8,986.70
Sewer	\$11,513.75
General Capital	\$594,361.41
Water Capital	\$319.25
Sewer Capital	\$0.00
Grant	\$36.00
Animal Control	\$0.00
Other Trusts	\$1,743.03
<b>TOTAL BILLS TO BE PAID:</b>	<b><u>\$743,724.62</u></b>

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: December 7, 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.