



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

March 22, 2023 – 7:00 p.m.

EXECUTIVE SESSION	6:30 P.M.
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- Executive Items

CALL TO ORDER	Mayor Linda H. Schwager Presiding
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- 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
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OPEN PUBLIC COMMENT	General Public
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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.

APPROVAL OF MINUTES	Borough Council
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- March 8, 2023
- March 8, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS	Borough Council
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- Proclamation Recognizing Sikh Awareness Month
- Appointment to Arts Committee
- Appointments to Public Events Committee
- Authorize Raffle License #RL1450 for Indian Hills High School PTSO for On-Premises 50/50 Raffle on March 5, 2023 at 97 Yawpo Avenue, Oakland, N.J. 07436
- Authorize Raffle License #RL1451 for Oakland-Franklin Lakes Rotary for On-Premises 50/50 Raffle on September 26, 2023 at 155 Ramapo Valley Road, Oakland, N.J. 07436

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

- 23-121:** Authorize Grant Agreement for Bergen County Community Development Block Grant CDBG-CV Phase IV for Senior Center Outdoor Furniture Project
- 23-122:** Award Contract to Boswell Engineering for Construction Inspection Services for Acorn, Birch, and Florence Avenues Water Main Improvements Project
- 23-123:** Resolution Authorizing FY 2023 Budget to be Read by Title Only
- 23-124:** Introduction of Municipal Budget
- 23-125:** Resolution Confirming Submission of a Request for Congressional Directed Spending to Congressman Bill Pascrell for the Superstructure Replacement of Patriot’s Way Bridge
- 23-126:** Resolution Confirming Submission of a Request for Congressional Directed Spending to Senator Cory Booker for the Superstructure Replacement of Patriot’s Way Bridge
- 23-127:** Resolution Confirming Submission of a Request for Congressional Directed Spending to Senator Robert Menendez for the Superstructure Replacement of Patriot’s Way Bridge
- 23-128:** Resolution in Support of Application for Class I Cannabis Cultivation License in the Borough of Oakland
- 23-129:** Authorize Refund of Taxes to 71 McCoy LLC Due to Overpayment
- 23-130:** Authorize Refund of Taxes to Yujen E. Tsuo Due to Overpayment
- 23-131:** Authorize 2023 Temporary Budget Amendment
- 23-132:** Authorize Ramapo Valley Road Sidewalk Project Change Order #2
- 23-133:** Authorize Transfer between Budget Appropriations Reserves

ORDINANCES:

Introduction:

- 23-Code-902:** An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank Pursuant to N.J.S.A. 40A:4-45.14
- 23-Bond-903:** Bond Ordinance to Authorize the Making of Various Public Improvements In, By and For the Water Utility of the Borough of Oakland, in the County of Bergen, State of New Jersey, to Appropriate the Sum of \$3,600,000 to Pay for the Cost Thereof, to Authorize the Issuance of Bonds to Finance Such Appropriation and to Provide for the Issuance of Bond Anticipation Notes in Anticipation of the Issuance of Such Bonds

Final Adoption:

- 23-Code-901:** An Ordinance Amending the Code of the Borough of Oakland Related to Fees for Rain Barrel Program

WORK SESSION

- Proposal for Engineering Services for Drainage Improvements Project

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 *Borough Council*

ADJOURNMENT

The next Borough Council Meeting will be held on Wednesday April 12, 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: 23-121

TITLE:

**AUTHORIZE GRANT AGREEMENT FOR BERGEN COUNTY COMMUNITY DEVELOPMENT
BLOCK GRANT CDBG-CV PHASE 4 FOR SENIOR CENTER OUTDOOR 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 \$13,000.00 in 2023 Community Development Block Grant funds for Oakland Senior Center Outdoor 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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-122

TITLE:

AWARD CONTRACT TO BOSWELL ENGINEERING FOR INSPECTION SERVICES FOR ACORN STREET, BIRCH, AND FLORENCE AVENUES WATER MAIN IMPROVEMENTS PROJECT

WHEREAS, there is a need for Engineering Services for the Inspection Services for the Acorn, Birch, and Florence Avenues Water Main Improvements Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated February 21, 2023 for services required at a total cost not to exceed cost of \$27,500.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-06-56-683-400 in the amount of \$6,064.53n and Account #C-06-56-833-301 in the amount of 21,435.47; 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 inspection services for the Acorn, Birch, and Florence Avenues Water Main Improvement Project at a cost not to exceed \$27,500.00; and

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

RECORD OF COUNCIL VOTE:

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

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-123

TITLE:

RESOLUTION AUTHORIZING CY 2023 BUDGET TO BE READ BY TITLE ONLY

WHEREAS, N.J.S.A. 40A:4-8 provides that the budget be read by title only at the time of the public hearing if a resolution is passed by not less that a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved municipal budget as advertised has been posted in the municipal building and copies have been made available by the clerk to persons requiring them; and

NOW, THEREFORE, BE IT RESOLVED, that the CY2023 municipal budget shall be read by title only.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: April 12, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-124

TITLE:

INTRODUCTION OF BUDGET

Municipal Budget of the Borough of Oakland, County of Bergen for the Fiscal Year 2023

BE IT RESOLVED; that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2023.

BE IT FURTHER RESOLVED; that said budget be published in The Bergen Record in the issue of April 5, 2023.

The Governing Body of the Borough of Oakland does hereby approve the following budget for the year 2023.

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Oakland, County of Bergen, on March 22, 2023.

A hearing on the Budget and Tax Resolution will be held at the Council Chambers, 10 Lawlor Drive, on April 26, 2023 at 7:00 o'clock pm at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: April 26, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-125

TITLE:

RESOLUTION CONFIRMING SUBMISSION OF A REQUEST FOR CONGRESSIONAL DIRECTED SPENDING TO CONGRESSMAN BILL PASCRELL FOR THE SUPERSTRUCTURE REPLACEMENT OF PATRIOT’S WAY BRIDGE

WHEREAS, there exists an opportunity for the Borough of Oakland to apply for funding through the Office of U.S. Congressman Bill Pascrell for the Patriot’s Way Bridge Superstructure Replacement Project through a funding request for a Congressional Directed Spending Request; and

WHEREAS, the assistance of these federal funds is in the best interest of the Oakland community; and

WHEREAS, the Borough of Oakland finds it exceptionally beneficial to apply for these funds to complete this important project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, expresses its full support of the submission of the request for Congressional Directed Spending, which would be used to fund the Patriot’s Way Bridge Superstructure Replacement Project.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-126

TITLE:

RESOLUTION CONFIRMING SUBMISSION OF A REQUEST FOR CONGRESSIONAL DIRECTED SPENDING TO SENATOR CORY BOOKER FOR THE SUPERSTRUCTURE REPLACEMENT OF PATRIOT'S WAY BRIDGE

WHEREAS, there exists an opportunity for the Borough of Oakland to apply for funding through the Office of U.S. Senator Cory Booker for the Patriot's Way Bridge Superstructure Replacement Project through a funding request for a Congressional Directed Spending Request; and

WHEREAS, the assistance of these federal funds is in the best interest of the Oakland community; and

WHEREAS, the Borough of Oakland finds it exceptionally beneficial to apply for these funds to complete this important project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, expresses its full support of the submission of the request for Congressional Directed Spending, which would be used to fund the Patriot's Way Bridge Superstructure Replacement Project.

RECORD OF COUNCIL VOTE:

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

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-127

TITLE:

RESOLUTION CONFIRMING SUBMISSION OF A REQUEST FOR CONGRESSIONAL DIRECTED SPENDING TO SENATOR ROBERT MENENDEZ FOR THE SUPERSTRUCTURE REPLACEMENT OF PATRIOT’S WAY BRIDGE

WHEREAS, there exists an opportunity for the Borough of Oakland to apply for funding through the Office of U.S. Senator Robert Menendez for the Patriot’s Way Bridge Superstructure Replacement Project through a funding request for a Congressional Directed Spending Request; and

WHEREAS, the assistance of these federal funds is in the best interest of the Oakland community; and

WHEREAS, the Borough of Oakland finds it exceptionally beneficial to apply for these funds to complete this important project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, expresses its full support of the submission of the request for Congressional Directed Spending, which would be used to fund the Patriot’s Way Bridge Superstructure Replacement Project.

RECORD OF COUNCIL VOTE:

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

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-128

TITLE:

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

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

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

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

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

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

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

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

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

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-129

TITLE:

AUTHORIZE REFUND OF TAXES TO 71 MCCOY LLC DUE TO OVERPAYMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the amount of \$316.68; 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 #CF-01-55-998-002 Tax Refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, do hereby authorize a payment to be made in the amount of \$316.68 to:

71 McCoy LLC
1018 High Mountain Rd
Oakland, N.J. 07436

Block: 3703
Lot: 61

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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-130

TITLE:

AUTHORIZE REFUND OF TAXES TO YUJEN E. TSUO DUE TO OVERPAYMENT

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of taxes in the amount of \$2168.59; 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 #CF-01-55-998-002 Tax Refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, do hereby authorize a payment to be made in the amount of \$2168.59 to:

Yujen E. Tsuo
361 Conklintown Rd
Oakland, N.J. 07436

Block: 2205
Lot: 3

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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-131

TITLE:

AUTHORIZE 2023 TEMPORARY BUDGET AMENDMENT

WHEREAS, NJSA40A:4-20 of the Local Budget Law provides that in addition to temporary appropriations necessary for the period prior to the adoption of the budget, the governing body may, by resolution adopted by 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purposes for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the adoption of the budget.; and

WHEREAS, the State has extended the due date for finalizing the 2023 budget to the 1st meeting in May which requires the Borough to provide additional Temporary Budgets into the 2nd quarter to support on-going operations of the government; and

WHEREAS, the total appropriations in the 2022 Budget, less appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$18,830,184.00
Water Utility Operating Fund	\$1,637,500.00
Sewer Utility Operating Fund	\$493,500.00

WHEREAS, 26.25% of the total appropriations in the 2022 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$4,942,923.00
Water Utility Operating Fund	\$429,843.00
Sewer Utility Operating Fund	\$129,543.00

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2023 appropriations for the 2nd quarter, which do not exceed 26.25% of the appropriations in the 2022 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, be made and amended to the 1st quarter approved temporary budget and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Director of the Division of local Government Services.

CURRENT Q2	S&W	OE
ADMINISTRATIVE & EXECUTIVE	56,597	1,453
COMMUNICATION COMMISSION	525	1,824
GENERAL SERVICES	175	11,725
MAYOR & COUNCIL	9,400	10,871
MUNICIPAL CLERK	17,325	4,333
ELECTION	377	2,135
FINANCIAL ADMINISTRATION	42,231	6,475
AUDIT	-	-
INFORMATION TECHNOLOGY	-	24,500
TAX COLLECTION	14,377	2,499
TAX ASSESSMENT	18,056	6,596
LEGAL SERVICES	-	32,375
ENGINEERING	-	11,375
PLANNING BOARD	2,888	3,717
BOARD OF ADJUSTMENT	2,888	1,365
UNIFORM CONSTR CODE	43,108	15,102
INSURANCE	-	616,014
POLICE DEPARTMENT	825,845	38,583
EMERGENCY MANAGEMENT	1,662	(943)
FLOOD CONTROL COMMITTEE	901	262
Contribution to First Aid Squad	-	-
FIRE DEPARTMENT	-	18,200
PROSECUTOR	-	5,670
STREETS & ROADS	95,591	18,601
SHADE TREE	-	13,475
STORMWATER MANAGEMENT	15,610	4,900
GARBAGE & TRASH REMOVAL	12,968	459,283
SNOW REMOVAL	35,083	44,800
BUILDINGS & GROUNDS	41,912	28,088
VEHICLE MAINTENANCE	16,258	28,200
BOARD OF HEALTH	11,582	31,535
ENVIRONMENTAL COMMISSION	267	228
RECREATION	4,791	63,207
SENIOR CITIZENS ACTIVITIES	15,667	7,280
PUBLIC LIBRARY	71,978	106,470
ELECTRICITY	-	31,700
STREET LIGHTING	-	46,250
TELEPHONE	-	12,433
NATURAL GAS	-	8,625
GASOLINE	-	13,333
Public Employees Retirement System (PERS)	-	593,918
Social Security	-	80,000
Defined Contribution Plan	-	3,000
Police & Firemen's Retirement (PFRS)	-	1,141,276
MUNICIPAL COURT	27,215	1,995
PUBLIC DEFENDER	-	1,855
Totals	1,385,274	3,554,578
	Total	4,939,851
Account Description		
WATER Q2		
WATER - OPERATIONS	129,938	155,471
WATER - UTILITIES	-	47,600
WATER - Social Security	-	9,800
Totals	129,938	212,871
	Total	342,809
Account Description		
SEWER Q2		
SEWER - OPERATIONS	-	58,175
SEWER - UTILITIES	-	29,187
SEWER - Social Security	-	-
	-	87,362
	Total	87,362



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-132

TITLE:

AUTHORIZE CHANGE ORDER #2 FOR RAMAPO VALLEY ROAD SIDEWALK PROJECT

WHEREAS, the Borough of Oakland awarded a contract to D.S. Meyer Enterprises, LLC., 2 North Street, Suite 2A, Waldwick, N.J. 07463 in the amount of \$613,871.00 for the Ramapo Valley Road Sidewalk Project; and

WHEREAS, the following Change Order #2 has been requested:

Change Order #2 “Supply Chain Issues” \$23,829.50

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland authorize a Change Order in the amount of 23,829.50 for a new total contract amount of \$637,700.50.

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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-133

TITLE:

Authorize Transfer between Budget Appropriations Reserves

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 between Appropriations Reserves during the first 3 months of the calendar 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 2022 Appropriations Reserves budget:

Water Operating Fund		From	To
2-05-55-501-011	Water – Salary & Wages	\$ 250.00	
Sub-total		\$ 250.00	
2-05-55-502-023	Water – Purchased Services - Testing		\$ 250.00
Sub-total			\$ 250.00

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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-902

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A.40A:4-45.14

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

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

WHEREAS, the governing body of the Borough of Oakland in the County of Bergen finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the governing body hereby determines that a 1 % increase in the budget for said year, amounting to \$ 171,826.66 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Oakland in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Oakland shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$601,393.31, and that the CY 2023 municipal budget for the Borough of Oakland be approved and adopted in accordance with this ordinance; and

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

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

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

Adopted this ____ day of
_____, 2023.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-BOND-903

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

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

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

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

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

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

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS:

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

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

B. Replacement of water mains at various locations.

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

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

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

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

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

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

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

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

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

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

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

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

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

Adopted this ____ day of
_____, 2023.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CODE-901

AN ORDINANCE SUPPLEMENTING CHAPTER 12 OF THE OAKLAND CODE TO ESTABLISH A NEW SECTION 10 ENTITLED "RAIN BARRELS"

WHEREAS, the Borough of Oakland has worked with the Sustainable Oakland Green Team to purchase eight (8) rain barrels to initiate its Rain Barrel Program; and

WHEREAS, the Borough believes rain barrels promote the conservation of town water supply and can reduce household bills; and

WHEREAS, the Borough desires to sell rain barrels to residents at the Borough cost of \$75; and

WHEREAS, similar programs already exist in the Borough for composter units and recycling bins

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

Section I. Chapter 12 of the Borough of Oakland Code entitled "Streets, Sidewalks, Public Rights-of-Way and Sanitation" is hereby amended to create a Section 10 stating the following:

"The fee to be charged to residents for 55-gallon rain barrels containers shall be \$75."

Section II. All other parts, portions and provisions of Chapter 12 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.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (3-22-2023)

TITLE:

BILLS RESOLUTION

BILLS ALREADY PAID:

Payroll	\$190,969.30
Payroll Agency	\$110,282.95
Current	\$2,636,821.90
Water	\$.000
Grant	\$0.00
Sewer	\$0.00
Trust	\$0.00
Capital	\$0.00
TOTAL BILLS ALREADY PAID:	<u>\$2,938,074.15</u>

BILLS TO BE PAID:

Current Fund	\$324,147.67
Water Operating	\$41,113.08
Sewer	\$3,001.25
General Capital	\$43,859.35
Water Capital	\$203,355.5
Sewer Capital	\$22,510.75
Grant	\$8,996.50
Animal Control	\$0.00
Other Trusts	\$8,308.29
TOTAL BILLS TO BE PAID:	<u>\$655,292.39</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: March 22, 2023

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk

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