

**BOROUGH COUNCIL MEETING**  
**May 24, 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](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:**  
Steven Salianni, *President*  
Eric Kulmala  
John McCann  
Pat Pignatelli  
Kevin Slasinski  
Russell Talamini

**May 24, 2023 - 7:00 p.m.**

#### EXECUTIVE SESSION

**6:00 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, Salianni, Slasinski, Talamini

#### MAYOR'S REPORT

***Mayor Linda H. Schwager***

#### OPEN PUBLIC COMMENT

***General Public***

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

#### PUBLIC HEARING ON FY 2023 BERGEN COUNTY OPEN SPACE TRUST FUND GRANT APPLICATION ***Borough Council***

- Borough of Oakland Recreation Complex Field Refurbishments Project

#### APPROVAL OF MINUTES

***Borough Council***

- May 10, 2023
- May 10, 2023 Executive Session

#### SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS

***Borough Council***

- Presentation from Indian Hills High School Click Clack Front and Back Advocate Group
- Appointment(s) to Board of Health
- Appointment(s) to Zoning Board of Adjustment
- Appointment to Arts Committee
- Approve Social Affairs Permit for Father's Club of Oakland

- Authorize Raffle License #RL1456 to Mother's Club of Oakland to Conduct Carnival Games on June 21, 2023 through June 24, 2023 at 24 Lawlor Drive, Oakland, N.J. 07436
- Request to Install Banner at Bush Plaza from June 1, 2023 through June 17, 2023 for Pond's Reformed Church Pride Concert on June 17, 2023

<b>RESOLUTIONS</b>	<i>Borough Council</i>
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*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.*

- 23-166:** Authorize Grant Submittal to State of New Jersey Department of Community Affairs Lead Grant Assistance Program
- 23-167:** Award Contract to Boswell Engineering for Engineering Services for Well #9 Electrical Improvements
- 23-168:** Resolution to Support A5163 Repealing Law Providing That Violation of Rear Seat Belt Law Be Treated As Secondary Offense
- 23-169:** Authorize the Return of Found Monies for Barbara Goworek
- 23-170:** Authorize Refund of Other Fees and Permits for Maryam Kassai
- 23-171:** Hire Summer Recreation Camp Counselors
- 23-172:** Resolution Supporting the Bergen County Fire Mutual Aid Plan in the Borough of Oakland
- 23-173:** Resolution Authorizing Settlement of Tax Appeals Entitled PSE&G Services Corp. v. Borough of Oakland
- 23-174:** Resolution Authorizing Inclusion in the Bergen County Community Development Program
- 23-175:** Resolution Authorizing the Execution of an Agreement with the County of Bergen to Supersede the Cooperative Agreement Dated July 1, 2021 and Amendments Thereto Establishing the Bergen County Community Development Program
- 23-176:** Authorize Appointments of Municipal Representatives to Bergen County Community Development Regional Committees FY 2023 Covering Period July 1, 2023 through July 30, 2024
- 23-177:** Authorize Chapter 159 for Shared Service Agreement for SLEO III Officers
- 23-178:** Authorize Chapter 159 for NJDCA Local Recreation Improvement Grant
- 23-179:** Authorize Chapter 159 for Bergen County Mini Clean Communities Grant
- 23-180:** Authorize Chapter 159 for Monsanto PCB Settlement for Stormwater
- 23-181:** Authorize Chapter 159 for Stormwater Assistance Program
- 23-182:** Authorize Chapter 159 for Body Armor Grant
- 23-183:** Cancel Grant Balances
- 23-184:** Authorize Hire of Temporary PT Clerk for Municipal Court
- 23-185:** Authorize Submittal of Letter of Support to New Jersey Department of Environmental Protection for Grant Application to United States Department of Transportation for Charging and Fueling Infrastructure Discretionary Grant Program

**ORDINANCES:**

**Final Adoption:**

**23-Code-904:** An Ordinance Amending Chapter 7; Section 16 of the Code of the Borough of Oakland Related to Permit Parking

**Introduction:**

**23-Code-905:** An Ordinance to Amend, Supplement, and Revise the Code of the Borough of Oakland, "Land Use and Zoning", Chapter 59, By Adding New Article "Short Term Rentals"

**23-Code-906:** An Ordinance to Amend, Supplement, and Revise the Code of the Borough of Oakland, "Land Use and Zoning", Chapter 59, By Amending Article VII, "Zoning"

**23-Capital-907:** Capital Ordinance Authorizing the Making of Various Public Improvements and Acquisitions In, By and For the Borough, Appropriating Therefor the Sum of \$1,056,450.00 and Providing That Such Sum So Appropriated Shall Be Raised from the Capital Improvement Fund of the Borough

**23-Code-908:** An Ordinance Amending Chapter 7, Section 17 of the Oakland Code Related to Vehicles Exceeding Three (3) Tons

**WORK SESSION**

- Support S3739/A5402 Delaying Implementation of the Fourth Round of Affordable Housing Obligations
- Proposal for Engineering Services for Lakeside Boulevard Water Main Improvements Project

**NEW BUSINESS**

**OLD BUSINESS**

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

**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.*

**BILLS TO BE PAID** *Borough Council*

**ADJOURNMENT**

The next Borough Council Meeting will be held on Wednesday June 14, 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: 23-166

**TITLE:**

**AUTHORIZE GRANT SUBMITTAL TO STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY  
AFFAIRS LEAD GRANT ASSISTANCE PROGRAM**

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**WHEREAS**, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for the purpose of conducting the inspections for lead-based paint hazards; and

**WHEREAS**, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

**WHEREAS**, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

**WHEREAS**, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

**WHEREAS**, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

**WHEREAS**, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

**NOW, THEREFORE, BE IT RESOLVED**, the Governing Body of, Borough of Oakland, does hereby authorize Mayor Linda H. Schwager to sign the attached grant agreement, and thus bind the Borough of Oakland to the grant agreement's terms in order to receive the \$9,300.00 grant from the DLGS;

**CERTIFICATION:**

I, Michael E. Carelli, Municipal Clerk of the Borough of Oakland in the County of Bergen, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Borough Council at its meeting of May 24, 2023.

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

**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: May 24, 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: 23-167

**TITLE:**

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR  
WELL #9 ELECTRICAL IMPROVEMENTS**

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**WHEREAS**, there is a need for Engineering Services for Well #9 Pumping Station Improvements; and

**WHEREAS**, Boswell Engineering has submitted a revised proposal dated April 18, 2023 for services required at a total cost not to exceed cost of \$20,000.00, broken down as follows:

**TASK #1** – Field Investigation: \$2,500.00

**TASK #2** – Design: \$17,500.00

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account # C-06-56-903-201 in the amount of \$20,000.00; 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 engineering services for the Well #9 Pumping Station Improvements Project at a cost not to exceed \$20,000.00; 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:**

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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: May 24, 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: 23-168

**TITLE:**

**RESOLUTION TO SUPPORT A5163 REPEALING LAW PROVIDING THAT VIOLATION OF REAR SEAT BELT LAW BE TREATED AS SECONDARY OFFENSE**

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**WHEREAS**, in 2020, traffic fatalities in New Jersey rose five percent and 585 lost their lives on State roads according to the New Jersey State Police; and

**WHEREAS**, in 2019, lack of seat belt use was a factor in 43 percent of passenger vehicle fatalities when restraint use was known according to the National Highway Traffic Safety Administration (NHTSA); and

**WHEREAS**, motor vehicle crashes cost New Jersey nearly \$13 billion annually according to the NHTSA and crash costs are 55 percent higher for unbelted crash victims who incur medical bills compared with belted victims; and

**WHEREAS**, unbelted rear passengers can be thrown about the passenger compartment of a vehicle in a crash, posing a serious threat to the driver and other vehicle occupants as the odds of death for a belted driver seated directly in front of an unrestrained passenger in a serious head-on crash is 2.27 times higher than if the driver is seated in front of a restrained passenger; and

**WHEREAS**, it is the intent of the New Jersey legislature to increase the survival rates of individuals involved with vehicular crashes on New Jersey's roads and highways, reduce the severity of vehicular crash injuries, and curb the escalating costs of health care, workers' compensation, and other insurance related expenditures associated with motor vehicle crashes; and

**WHEREAS**, under current law, the failure to wear a seatbelt in the rear seat of a motor vehicle constitutes a secondary offense, which means a law enforcement officer cannot stop and issue a ticket solely for a violation of the rear seat belt law, but only when a driver of a passenger automobile has been stopped for some other suspected violation of Title 39 of the Revised Statutes or other law; and

**WHEREAS**, by making a failure to wear a seatbelt in the rear seat of a motor vehicle a primary offense, the Legislature intends to strengthen the State's seat belt law;

**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, extend its full support of Assembly Bill No. 5163, introduced on February 6, 2023 by Assemblyman Robert Auth, which repeals the law providing that violation of rear seat belt law be treated as secondary offense.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to Governor Phil Murphy, Senator Holly Schepisi, Assemblyman Robert Auth, Assemblywoman DeAnne DeFuccio, and the State League of Municipalities.

**RECORD OF COUNCIL VOTE:**

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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: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-169

**TITLE:**

**AUTHORIZE THE RETURN OF FOUND MONIES TO BARBARA GOWOREK**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a return of found monies in the amount of \$100.00; and

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

**WHEREAS**, the Chief Financial Officer has verified that the amount is due and that funds are available in account #CF-01-25-240-101 Return of Found Monies;

**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 \$100.00 to:

Barbara Goworek	Block: N/A
186 Hiawatha Boulevard	Lot: N/A
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: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-170

**TITLE:**

**AUTHORIZE REFUND OF OTHER FEES AND PERMITS FOR MARYAM KASSAI**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of other fees and permits in the amount of \$75.00; and

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

**WHEREAS**, the Chief Financial Officer has verified that the amount is due and that funds are available in account #CF-01-55-998-006 Miscellaneous Revenue 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 \$75.00 to:

Maryam Kassai  
189 Franklin Avenue  
Oakland, N.J. 07436

Block: N/A  
Lot: N/A

**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: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-171

**TITLE:**

**HIRE SUMMER RECREATION CAMP COUNSELORS**

**BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize the hiring of Summer Camp staff at their respective rates as per the attached list effective Monday June 26, 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-172

**TITLE:**

**RESOLUTION SUPPORTING THE BERGEN COUNTY FIRE MUTUAL AID PLAN IN THE  
BOROUGH OF OAKLAND**

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**WHEREAS**, the Borough of Oakland provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

**WHEREAS**, the Fire Departments in Bergen County have a day-to-day responsibility to provide for the safety and security of lives and property;

**WHEREAS**, local resources can become exhausted during a small percentage of large magnitude fire or disaster occurrences; and

**WHEREAS**, mutual aid is the most cost effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences; and

**WHEREAS**, it is of mutual benefit for fire departments located within the County of Bergen to provide supplemental resources to each other in the event of a local emergency or disaster; and

**WHEREAS**, this plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire department requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

**WHEREAS**, a County area mutual aid plan is encouraged by, and is compatible with the State of New Jersey Resource Deployment Act; and

**WHEREAS**, participation in a County mutual aid plan will not impose liability on the local entity; and

**WHEREAS**, it is the desire of the Governing Body of the Borough of Oakland to participate in the fire mutual aid plan;

**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, does hereby agree to authorize their Fire Department to provide mutual aid assistance to each participating municipality, district, state, or federal organization, as identified in the Bergen County Fire Mutual Aid Plan (ESF4) and may be amended from time to time by participating units and ratified by this body; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Bergen County Office of Emergency Management for filing.

**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: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-173

**TITLE:**

**RESOLUTION AUTHORIZING SETTLEMENT OF TAX APPEALS ENTITLED PSE&G SERVICES  
CORP V. BOROUGH OF OAKLAND**

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**WHEREAS**, PSE&G Services Corp. is the owner and/or taxpayer of real property designated as Block 3601, Lot 41 on the official Tax Map of the Borough of Oakland and located at 20 Van Vooren Drive for tax years 2016 through 2023; and

**WHEREAS**, the taxpayer has filed property tax appeals against the Borough of Oakland for tax years 2016, 2017, 2018, 2019, 2020, 2021, 2022 and 2023, in matters entitled PSEG Services Corp. 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 refund for the proposed settlement is \$32,946.91; and

**WHEREAS**, the Borough of Oakland wishes to accept the proposed settlement offer of Counsel for the taxpayer.



**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 Borough of Oakland is hereby authorized to accept the proposed settlement offer for the matter entitled PSEG Services Corp. v. Borough of Oakland, so that for the tax year 2016, the total assessment of \$6,000,000 will be reduced to \$5,659,800; and so that for the tax year 2017, the total assessment of \$6,000,000 will be reduced to \$5,604,800; and so that for the tax year 2018, the total assessment of \$6,000,000 will be reduced to \$5,553,700; and so that for the tax years 2019, 2020 and 2021, the total assessment of \$6,000,000 will remain; and so that for the tax year 2022, the assessment of \$8,866,300 will remain; and so that for the tax year 2023, the assessment of \$8,700,000 will remain; resulting in a total refund to the taxpayer of \$32,946.91.

**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 60 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-174

**TITLE:**

**RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY  
DEVELOPMENT PROGRAM**

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**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

**WHEREAS**, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

**WHEREAS**, it is in the best interest of the Borough of Oakland and its residents to participate in said Programs.

**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 notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 through June 30, 2027;

**BE IT FURTHER RESOLVED**, that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Monday June 26, 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 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: 23-175

**TITLE:**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2021 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM**

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**WHEREAS**, certain federal funds are potentially available to the County of Bergen under Title 1 of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, it is necessary to supersede the existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these programs; and

**WHEREAS**, an agreement has been proposed under which the Borough of Oakland and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et. seq.; and

**WHEREAS**, it is in the best interest of the Borough of Oakland to enter into such an agreement;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2021 through June 30, 2024) to clarify the planning and implementation procedures and to enable the municipality to make a three year irrevocable commitment to participate in the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for Fiscal Years 2024, 2025, and 2026 covering the period July 1, 2024 through June 30, 2027, be executed by the Mayor and Municipal Clerk in accordance with the provisions of the law;

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with the law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible, and no later than Monday June 26, 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 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: 23-176

**TITLE:**

**AUTHORIZE APPOINTMENTS OF MUNICIPAL REPRESENTATIVES TO BERGEN COUNTY  
COMMUNITY DEVELOPMENT REGIONAL COMMITTEES FY 2023 COVERING PERIOD JULY 1,  
2023 THROUGH JUNE 30, 2024**

**WHEREAS**, the Borough of Oakland has entered into a three-year cooperative agreement with the County of Bergen as provided under the Inter Local Services Act, N.J.S.A. 40A:65-1 et. seq. and Title 1 of the Housing and Community Development Act of 1974; and

**WHEREAS**, said agreement requires that the Borough Council appoint a representative and alternate and that the Mayor appoint a representative and an alternate for the FY 2023-2024 term starting July 1, 2023, and ending on June 30, 2024;

**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 appoints Eric Kulmala as its representative and John McCann as the alternate and that the Mayor hereby appoints Richard S. Kunze as her representative and Michael E. Carelli as the alternate to serve on the Community Development Regional Committee for FY 2023-2024.

**BE IT FURTHER RESOLVED**, that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development, One Bergen County Plaza, Fourth Floor, Hackensack, N.J. 07601-7076, [resposito@co.bergen.nj.us](mailto:resposito@co.bergen.nj.us), as soon as possible and no later than Monday June 26, 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 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: 23-177

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR SHARED SERVICES AGREEMENT FOR SLEO III OFFICERS**

---

**WHEREAS**, N.J.S.A. 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 entered into a shared services agreement with the Board of Education of the Borough of Oakland for the provision of four (4) Special Law Enforcement Officer III's, and

**WHEREAS**, the Board of Education of the Borough of Oakland will be reimbursing the Borough of Oakland for the hiring, salary and operating costs associated with the provision of the shared service in the amount of \$145,000.00 and wishes to amend its 2023 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 -  
Shared Service Agreements Offset with Appropriations:  
OBE – Special Law Enforcement Officer III's

**BE IT FURTHER RESOLVED** that a like sum of \$145,000.00 be and the same is hereby appropriated under the caption of:

- General Appropriations:
- (A) Operations - Excluded from "CAPS"
- Shared Service Agreements:
  - OBE – Special Law Enforcement Officer III’s
  - Salary & Wages - \$100,000.00
  - Other Expenses - \$45,000.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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: May 24, 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: 23-178

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR NJDCA LOCAL RECREATION IMPROVEMENT GRANT**

---

**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 a grant in the amount of \$75,000.00 from the New Jersey Department of Community Affairs for the purpose of providing public access to quality outdoor space and recreational facilities in the Borough, and wishes to amend its 2023 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:

Local Recreation Improvement Grant – Field Rehab

**BE IT FURTHER RESOLVED** that a like sum of \$75,000.00 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:  
     Local Recreation Improvement Grant – Field Rehab  
     Other Expenses - \$75,000.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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				

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

Date of Adoption: May 24, 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: 23-179

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR BERGEN COUNTY MINI CLEAN COMMUNITIES GRANT**

---

**WHEREAS**, N.J.S.A. 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 a grant in the amount of \$300.00 from the County of Bergen for the purpose of purchasing of Litter Clean-up here in the Borough, and wishes to amend its 2023 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:  
Clean Community Mini – Litter

**BE IT FURTHER RESOLVED** that a like sum of \$300.00 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:  
     Clean Community Mini - Litter  
     Other Expenses - \$300.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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				

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

Date of Adoption: May 24, 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: 23-180

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR MONSANTO PCB SETTLEMENT FOR STORMWATER**

---

**WHEREAS**, N.J.S.A. 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 a Monsanto PCB Clean Water settlement in the amount of \$17,414.03 to be utilized for the purpose of improving stormwater management here in the Borough, and wishes to amend its 2023 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:  
Monsanto PCB Settlement – Stormwater

**BE IT FURTHER RESOLVED** that a like sum of \$17,414.03 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:  
     Monsanto PCB Settlement - Stormwater  
     Other Expenses - \$17,414.03

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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				

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

Date of Adoption: May 24, 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: 23-181

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR STORMWATER ASSISTANCE PROGRAM**

---

**WHEREAS**, N.J.S.A. 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 a grant in the amount of \$25,000.00 from the State of New Jersey Department of Environmental Protection for the purpose of improving stormwater management here in the Borough, and wishes to amend its 2023 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:  
Stormwater Assistance Program

**BE IT FURTHER RESOLVED** that a like sum of \$25,000.00 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:  
     Stormwater Assistance Program  
     Other Expenses - \$25,000.00

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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				

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

Date of Adoption: May 24, 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: 23-182

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR BODY ARMOR GRANT**

---

**WHEREAS**, N.J.S.A. 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 a grant in the amount of \$1,950.37 from the State of New Jersey for the purpose of purchasing Police Body Armor for Police Officers here in the Borough, and wishes to amend its 2023 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:  
Body Armor Grant

**BE IT FURTHER RESOLVED** that a like sum of \$1,950.37 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:  
     Body Armor Grant  
         Other Expenses - \$1,950.37

**BE IT FURTHER RESOLVED** that the Borough Clerk forward an electronic copy 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				

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

Date of Adoption: May 24, 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: 23-183

**TITLE:**

**CANCEL GRANT BALANCES**

**WHEREAS**, there exist certain Grant Receivables and Grant Appropriated Reserves on the Balance Sheet that were adopted into previous Budgets for the Borough of Oakland; and

**WHEREAS**, the balances are no longer necessary for the purpose originally created; and

**WHEREAS**, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

**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 following grant receivables and appropriation balances be cancelled:

**GRANT FUND:**

<b><u>ACCOUNT:</u></b>	<b><u>DESCRIPTION:</u></b>	<b><u>BALANCE TO CANCEL:</u></b>
G-02-21-776-002	Senior Center Upgrade Rcvbl	\$0.38
G-02-21-778-001	Senior Center Upgrade	\$0.38

**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: May 24, 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: 23-184

**TITLE:**

**AUTHORIZE HIRE OF TEMPORARY PT CLERK FOR MUNICIPAL COURT**

**WHEREAS**, there is a need to hire a temporary part-time Clerk for the Municipal Court; and

**WHEREAS**, the Court Administrator has recommended the hiring of Sarah Bua for the temporary position;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize the hire of Sarah Bua to the temporary Clerk position for the Municipal Court at a salary of \$18.00 per hour with a maximum of 24 hours per week, for the period May 15, 2023 through August 25, 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				
<b>MAYOR (Tie-Break Vote):</b> Yes <input type="checkbox"/> No <input type="checkbox"/>									

Date of Adoption: May 24, 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: 23-185

**TITLE:**

**AUTHORIZING SUBMITTAL OF LETTER OF SUPPORT TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR GRANT APPLICATION TO UNITED STATES DEPARTMENT OF TRANSPORTATION FOR CHARGING AND FUEL INFRASTRUCTURE DISCRETIONARY GRANT PROGRAM**

**WHEREAS**, the United States Department of Transportation is offering the Charging and Fuel Infrastructure Discretionary Grant Program to strategically deploy publicly accessible electric vehicle charging and alternative fuel infrastructure in the places people live and work; and

**WHEREAS**, the New Jersey Department of Environmental Protection is applying for said grant program with a focus on installing charging infrastructure in public places across the State of New Jersey; and

**WHEREAS**, the New Jersey Department of Environmental Protection seeks the Borough of Oakland’s support as a sub-grantee of said program; and

**NOW, THEREFORE BE IT RESOLVED**, that the Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorizes the Mayor to sign a letter of support to the New Jersey Department of Environmental Protection for their application to the United States Department of Transportation Charging and Fuel Infrastructure Discretionary Grant Program; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be provided to the New Jersey Department of Environmental Protection Bureau of Mobile Sources.

**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: May 24, 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-904

### AN ORDINANCE AMENDING CHAPTER 7, SECTION 16 OF THE OAKLAND CODE RELATED TO PERMIT PARKING

---

**WHEREAS**, the Borough of Oakland has established a parking permit program; and

**WHEREAS**, the Borough wishes to amend the ordinance governing same;

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

**Section I.** Chapter 7, Section 16 of the Borough of Oakland Code entitled "Parking by Permit During Certain Hours on Certain Days on Certain Streets" is hereby amended as follows:

- a. General Hardships. Any owner or tenant of a residence in the Borough may apply to the Oakland Police Department Traffic Bureau for an annual street parking decal if there is insufficient or nonexistent off-street parking in the area of the residence. The Traffic Officer and the Borough Construction Official or his designee shall investigate to determine whether a hardship exists. If one is found to exist, the Chief of Police shall approve the application and issue a street parking decal for a period of one year, upon payment of a fee of \$10. The applicant shall affix the decal to the vehicle's rear side window on the driver's side. The application for a street parking decal shall be renewed by the applicant annually thereafter. It shall be the responsibility of the applicant to remove the decal upon transfer of title to the vehicle.

**Section II.** All other parts, portions and provisions of Chapter 7 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.

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Linda H. Schwager, Mayor

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Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 23-CODE-905

### AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, "LAND USE AND ZONING", CHAPTER 59, BY ADDING A NEW ARTICLE XX "SHORT-TERM RENTALS"

---

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

Section 1. Chapter 59 "Land Use and Zoning" shall be amended to add a new Article XX "Short-Term Rentals", as follows:

ARTICLE XX. Short-Term Rentals.

§59-165 Short-term rentals prohibited.

- A. It shall be unlawful for an owner, lessor, sublessor, any other person(s) or entity(ies) with possessory or use right(s) in a dwelling unit, their principals, partners or shareholders, or their agents, employees, representatives and other person(s) or entity(ies) acting in concert, or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering and/or permitted, allowing, or failing to discontinue the use or occupancy of any dwelling unit, as defined herein, for a period of thirty (30) days or less.
- B. Nothing in this article will prevent an otherwise lawful occupancy of an entire dwelling for a rental period of more than thirty (30) days. However, rental of a room or a portion of the premises for any term is not permitted.

§59-166 Definitions.

As used in this article, the following terms shall have the meanings indicated:

**ADVERTISE OR ADVERTISING:** Any form of solicitation, promotion and communication for marketing, used to solicit, encourage, persuade or manipulate viewers, readers, or listeners into contracting for goods and/or services in violation of this article, as same may be viewed through various media including, but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for consideration, which are prohibited by this article.

**CONSIDERATION:** Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration, including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment, or thing of value.

**DWELLING UNIT:** Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes

an apartment, condominium, building, cooperative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of occupants and/or guest(s), for consideration, for a period of thirty (30) days or less.

HOUSEKEEPING UNIT: Constitutes a family-type situation, involving one or more persons living together, that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable report and unreported decisions of the New Jersey Superior Court.

OCCUPANT: Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a dwelling unit, or portion thereof, or having other permission or possessory right(s) within a dwelling unit.

OWNER: Any person(s) or entity(ies), association, limited-liability company, corporation, or partnership, or any combination, who legally use, possess, own, lease, sublease or license (including an operator, principal, shareholder, director, agent, or employee, individually or collectively) that has charge, care, control, or participates in the expenses and/or profit of a dwelling unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

PERSON: An individual, firm, corporation, association, partnership, limited-liability company, association, entity, and any person(s) and/or entity(ies) acting in concern or any combination therewith.

RESIDENTIAL OCCUPANCY: The use of a dwelling unit by an occupant(s).

§59-167 Permitted uses.

The residential occupancy of an otherwise lawful and lawfully occupied dwelling unit for a period of thirty (30) days or less by a person who is a member of the housekeeping unit of the owner, without consideration, such as house guests, is permitted.

§59-168 Advertising prohibited.

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this article.

§59-169 Enforcement; violations and penalties.

- A. The provisions of this article shall be enforced by the Zoning Official, Fire Official and/or other subcode or Code Enforcement Official.
- B. A violation of this article is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.
- C. Any person found to have violated any provision of this article, without regard to intent or knowledge, shall be liable for the maximum civil penalty, upon adjudicated violation or admission, of a fine not exceeding \$1,250.00. Each day of such violation shall be a new and separate violation of this article.
- D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law.



Section 2. Severability and Repealer

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- B. All ordinance or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.
- C. The Borough Clerk is hereby directed to give notice at least ten days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of this ordinance as finally adopted with the Bergen County Planning Board, as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 3. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Bergen County Planning Board pursuant to N.J.S.A. 40:55D-16.

Adopted this \_\_\_ day of  
\_\_\_\_\_, 2023.

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Linda H. Schwager, Mayor

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Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 23-CODE-906

### AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, "LAND USE AND ZONING", CHAPTER 59, BY AMENDING ARTICLE VII ZONING

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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 59 "Land Use and Zoning", Article VII "Zoning", Section 59-44 "Definitions" shall be amended to eliminate and replace the definition of "Family" in its entirety as follows:

**FAMILY:**

One or more persons occupying a dwelling unit as a single non-profit housekeeping unit who are living together as a stable, permanent living unit, being a traditional family unit or the functional equivalency thereof.

**Section 2.** Chapter 59 "Land Use and Zoning", Article VII "Zoning", Section 59-45 "Regulations Applicable to all Zones" shall be amended by adding new Subsections J and K as follows:

Section 59-45 Regulations applicable to all zones.

- J. The keeping of boarders or roomers and/or operation of a boarding or rooming house is hereby prohibited in any and all zones.
- K. Rental of dwelling units.

No house, dwelling, building, dwelling unit, structure or enclosure or any part of the same which is located in any residential district shall be used or permitted to be used or be rented for use as living quarters, sleeping quarters or for living purposes by or to any society, club, fraternity, sorority, association, lodge, commune or similar group, or other collection of persons who do not qualify as a family as defined in Section 59-44 of this chapter. This restriction shall not apply to hotels, motels or other places of public accommodation which are duly licensed by the Borough and/or the State of New Jersey or to convents, rectories or parish houses utilized in conjunction with any house of worship.

**Section 3.** Chapter 59 "Land Use and Zoning", Article VII "Zoning", Section 59-49 "Residential Zones" is amended by eliminating Subsection B.(3) "The keeping of not more than three boarders or lodgers".

**Section 4.** Severability and Repealer

- A. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

B. All ordinances or parts of ordinances which are inconsistent with any provisions of this ordinance are hereby repealed as to the extent of such inconsistencies.

**Section 5.** This ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Bergen County Planning Board pursuant to N.J.S.A. 40:55D-16.

Adopted this \_\_\_ day of  
\_\_\_\_\_, 2023.

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Linda H. Schwager, Mayor

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Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 23-CAPITAL-907

**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 \$1,056,450 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE BOROUGH**

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

**SECTION 1.** 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:

**(A) ADMINISTRATION**

Furniture and Furnishings	\$5,000.00
Code Enforcement Digital Archive	\$15,000.00
Domain Controllers for OPD & OFD	\$18,500.00
Windows Server Upgrade	\$17,200.00
Computer System Upgrades & Replacements	\$5,000.00
Replace Portable Video Equipment for OCC	\$8,000.00
Keyless Entry Phase 3	\$12,000.00

Estimated Cost Total: \$ 80,700.00

**(B) FIRE DEPARTMENT**

Purchase of various pieces of equipment, including, but not limited to:

1034 All Band Radios	\$10,000.00
SCBA Replacements	\$21,000.00
Replace Fire Apparatus	\$200,000.00

Estimated Cost Total: \$231,000.00

**(C) DEPARTMENT OF PUBLIC WORKS**

Senior Bus Replacement	\$150,000.00
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Estimated Cost Total: \$150,000.00

**(D) STREETS AND ROADS IMPROVEMENTS**

Storm Sewer & Drainage Repairs	\$180,000.00
2024 Annual Sidewalk Repairs	\$60,000.00
Estimated Cost Total:	<u>\$240,000.00</u>

**(E) BUILDINGS AND GROUNDS IMPROVEMENTS**

Build a Shade Tree Nursery	\$2,750.00
Borough Hall Roof Replacement	\$110,000.00
Hardwire Smoke/CO2 with Borough Hall Panel	\$35,000.00
Estimated Cost Total:	<u>\$147,750.00</u>

**(F) POLICE DEPARTMENT**

Purchase of various vehicles and equipment, including, but not limited to:

Replace (2) SUV Patrol Vehicles	\$145,000.00
Automated License Plate Readers (2)	\$50,000.00
Speed Signs	\$12,000.00
Estimated Cost Total:	<u>\$207,000.00</u>

**SECTION 2.** The sum of \$1,056,450 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 Capital Improvement Fund of the Borough. The sum of \$1,056,450 is hereby appropriated from the Capital Improvement Fund of the Borough to the payment of the cost of said purpose.

**SECTION 3.** Said improvements and acquisitions 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.

Adopted this \_\_\_ day of  
\_\_\_\_\_, 2023.

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Linda H. Schwager, Mayor

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Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## ORDINANCE NO. 23-CODE-908

### AN ORDINANCE AMENDING CHAPTER 7, SECTION 17 OF THE OAKLAND CODE RELATED TO VEHICLES EXCEEDING THREE (3) TONS

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**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;

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

**Section I.** Chapter 7, Section 17 of the Borough of Oakland Code entitled "Parking of Certain Trucks, Vehicles and Trailers" is hereby amended as follows:

**7-17.1 Parking of Certain Trucks, Vehicles and Trailers Prohibited.**

No person shall park any truck or vehicle over three tons registered gross vehicle weight (GVW), a school bus, any other type of bus, recreational vehicle, camper, boat or trailer between the hours specified upon any of the Borough streets ~~or parts of streets described.~~

**Section II.** All other parts, portions and provisions of Chapter 7 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.

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Linda H. Schwager, Mayor

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Michael E. Carelli, Borough Clerk



# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (5-24-2023)

**TITLE:**

**BILLS RESOLUTION**

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**BILLS ALREADY PAID:**

Payroll	\$196,851.37
Payroll Agency	\$111,340.54
Current	\$206.91
Water	\$0.00
Grant	\$0.00
Sewer	\$0.00
Trust	\$163.02
Capital	\$0.00
<b>TOTAL BILLS ALREADY PAID:</b>	<b><u>\$308,561.84</u></b>

**BILLS TO BE PAID:**

Current Fund	\$258,977.74
Water Operating	\$24,747.00
Sewer	\$29,102.52
General Capital	\$80,870.93
Water Capital	\$31,901.24
Sewer Capital	\$7,583.50
Grant	\$956.01
Animal Control	\$1,410.00
Other Trusts	\$41,862.04
<b>TOTAL BILLS TO BE PAID:</b>	<b><u>\$457,033.46</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: May 24, 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.