

BOROUGH COUNCIL MEETING
June 14, 2023

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



BOROUGH OF OAKLAND
NEW JERSEY



BOROUGH OF OAKLAND

Borough Council Meeting

FINAL AGENDA

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

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

June 14, 2023 – 7:00 p.m.

EXECUTIVE SESSION

6:30 P.M.

- Executive Items

CALL TO ORDER

Mayor Linda H. Schwager Presiding

- Statement of Compliance with Open Public Meetings Act:

This Meeting is being held in accordance with the Open Public Meetings Law, duly announced, advertised, and posted in the Municipal Building. The meeting will adjourn no later than 10:00 p.m. unless a majority of the Councilmembers that are present vote to extend the time.

- Pledge of Allegiance to the Flag & Moment of Silence

ROLL CALL

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

MAYOR'S REPORT

Mayor Linda H. Schwager

OPEN PUBLIC COMMENT

General Public

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

APPROVAL OF MINUTES

Borough Council

- May 24, 2023
- May 24, 2023 Executive Session

SPECIAL ANNOUNCEMENTS/APPOINTMENTS/RAFFLES/REQUESTS

Borough Council

- Recognition of Ronald Beattie as 2023 Borough of Oakland Memorial Day Parade Grand Marshall
- Recognition of Communications Commission Junior Commissioner Benjamin Good on 2023 Jersey Access Group Award of Excellence
- Recognition of Television Committee on 2023 Jersey Access Group Award of Excellence
- Presentation from Girl Scouts Troop #96478 on Oakland Community Garden Pollinator Project
- Approve Social Affairs Permit for Oakland Elks Lodge #2167 for Buddie's of New Jersey
- Appointment to Sustainable Oakland Green Team
- Appointment to Planning Board

RESOLUTIONS*Borough Council*

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

- 23-186:** Resolution Supporting S3739/A5402 Delaying the Implementation of the Fourth Round of Affordable Housing Obligations
- 23-187:** Authorize Refund of Recreation Fees
- 23-188:** Amending Resolution 23-171 Hiring Summer Recreation Camp Counselors
- 23-189:** Award Contract to Boswell Engineering for Engineering Services for Lakeside Boulevard Water Main Improvements Project
- 23-190:** Authorize Co-Sponsorship Agreement between Borough of Oakland and Mother's Club of Oakland for 2023 Oakland Carnival
- 23-191:** Authorize Chapter 159 for Lead Grant Assistance Program
- 23-192:** Authorize Chapter 159 for 200 Club of Bergen County 2023 Appropriations Program
- 23-193:** Authorize Inter-Local Sewerage Agreement between Borough of Oakland, Borough of Franklin Lakes, and K. Hovnanian at Oakland, LLC
- 23-194:** Authorize Renewal of Liquor Licenses
- 23-195:** Authorize Renewal of Liquor Licenses for Knights of Columbus and American Legion Post No. 369
- 23-196:** Appoint Temporary Construction Official
- 23-197:** Resolution Ratifying the Sidebar Agreement between the Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees) Regarding Summer Hours Schedule
- 23-198:** Authorize Grant Submittal to FY 2023 Patrick Leahy Bulletproof Vest Partnership Program
- 23-199:** Authorize Inter Local Services Agreement with the Borough of Hillsdale to Provide Chief Financial Officer Services
- 23-200:** Hire Department of Public Works Seasonal Laborer
- 23-201:** Award Contract to Cleary Giacobbe Alfieri Jacobs, LLC for Water and Sewer Special Counsel Services
- 23-202:** Approval of Administrative Consent Order with New Jersey Department of Environmental Protection for PFAS Treatment
- 23-203:** Cancel Capital Balances

ORDINANCES:**Final Adoption:**

- 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

Introduction:

23-Capital-909: Capital Ordinance Authorizing the Making of Various Public Improvements and Acquisitions In, By and For the Borough, Appropriating Therefor the Sum of \$360,000.00 and Providing That Such Sum So Appropriated Shall Be Raised from the Capital Improvement Fund of the Borough - \$232,005.00 and from a Bergen County Open Space Trust Fund Grant in the amount of \$127,995.00

WORK SESSION

- Support S3906 Allocating \$4.32 Billion from New Jersey Debt Defeasance and Prevention Fund
- Gas Leaf Blower Ban
- Purchase of Equipment from Borough of Bloomingdale
- Recreation Banner Program and Dog Park Rentals
- Downtown and Affordable Housing Ordinances

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 28, 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: 23-186

TITLE:

**RESOLUTION SUPPORTING S3739/A5402 DELAYING THE IMPELEMENTATION OF THE
FOURTH ROUND OF AFFORDABLE HOUSING OBLIGATIONS**

WHEREAS, S3739/A5402 would delay the implementation of the fourth round of affordable housing obligations, including present and prospective need and related litigation, until July 1, 2028; and

WHEREAS, extending the obligation to 2028 will present a clearer picture of how each of the towns fared in meeting their goals, and give all parties additional time to assess the efficacy and local impacts of the 3rd round of agreements; and

WHEREAS, New Jersey's Municipalities are still sorting out the ripple effects of COVID-19 lockdowns on their tax bases and land use plans; and

WHEREAS, post COVID-19 record inflation has driven construction, debt financing, and service costs to levels that incentivize builders to overreach, demanding more residential units than the infrastructure of fully developed communities can safely and responsibly absorb; and

WHEREAS, working through the 3rd round obligations requires more time than had been allotted given the cascading effects of COVID-19; and

WHEREAS, municipalities should be allowed to work towards appropriately meeting the 3rd round commitments before adding yet another layer that public health, safety, and welfare, limited infrastructure, hyper-local environmental and infrastructure challenges and fiscal realities may show to be unrealistic; and

WHEREAS, an extension would also give the legislature and the Governor time to reestablish their proper roles in balancing the needs of all stakeholders in this process;

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 support S3739/A5402; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Phil Murphy, to the members of the New Jersey Senate and Assembly, and to the New Jersey State League of Municipalities.

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: June 14, 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: 23-187

TITLE:

AUTHORIZE REFUND OF RECREATION FEES

WHEREAS, the Borough of Oakland has received a request (attached) for a refund of recreation fees in the total amount of \$535.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$535.00 to:

| <u>NAME</u> | <u>ADDRESS</u> | <u>SPORT TYPE</u> | <u>AMOUNT</u> |
|---------------------|--|-------------------|---------------|
| Houde Family | 10 Nokomis Avenue, Oakland, N.J. 07436 | Summer Camp | \$175.00 |
| Michel Family | 23 Cayuga Avenue, Oakland, N.J. 07436 | Summer Camp | \$55.00 |
| De los Reyes Family | 3 Academy Circle, Oakland, N.J. 07436 | Baseball | \$305.00 |

RECORD OF COUNCIL VOTE:

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

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

MAYOR (Tie-Break Vote): Yes No

Date of Adoption: June 14, 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: 23-188

TITLE:

AMENDING RESOLUTION 23-171 HIRING 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 amend resolution #23-171, authorizing the hiring of Summer Camp staff at their respective rates as per the attached updated 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 | | | | |
| MAYOR (Tie-Break Vote): Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | |

Date of Adoption: June 14, 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: 23-189

TITLE:

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR
LAKESIDE BOULEVARD WATER MAIN IMPROVEMENTS PROJECT**

WHEREAS, there is a need for Engineering Services for the Lakeside Boulevard Water Main Improvements Project; and

WHEREAS, Boswell Engineering has submitted a proposal dated May 19, 2023 for services required at a total cost not to exceed cost of \$21,000.00, broken down as follows:

TASK #1 – Data Collection: \$3,000.00

TASK #2 – Design: \$18,000.00

WHEREAS, the Chief Financial Officer has certified funds are available in Account # C-06-56-903-203 in the amount of \$21,000.00; 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 Lakeside Boulevard Water Main Improvements Project at a cost not to exceed \$21,000.00; and

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

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: June 14, 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: 23-190

TITLE:

**AUTHORIZE CO SPONSORSHIP AGREEMENT BETWEEN BOROUGH OF OAKLAND AND
MOTHER'S CLUB OF OAKLAND FOR 2023 OAKLAND CARNIVAL**

WHEREAS, the Borough of Oakland and the Mother's Club of Oakland wish to co-sponsor the 2023 Oakland Carnival; and

WHEREAS, the Borough of Oakland and the Mother's Club of Oakland have determined that it is in the best interest of the Borough and the Mother's Club of Oakland. To enter into a Co-Sponsorship Agreement in order to set forth the respective responsibilities with respect to the carnival and to authorize the execution of the Co-Sponsorship Agreement.

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 Mayor and Borough Clerk are authorized to execute the Co-Sponsorship Agreement in the form annexed to this Resolution.
2. Certified copies of this Resolution shall be provided to the Mother's Club of Oakland.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: June 14, 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: 23-191

TITLE:

AUTHORIZE CHAPTER 159 FOR LEAD GRANT 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 \$9,300.00 from the Lead Grant Assistance Program for the purpose of addressing Lead Paint Inspection 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:
 Lead Grant Assistance Program

BE IT FURTHER RESOLVED, that a like sum of \$9,300.00 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:
 Lead Grant Assistance Program
 Other Expenses - \$9,300.00

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 <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | |

Date of Adoption: June 14, 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: 23-192

TITLE:

AUTHORIZE CHAPTER 159 FOR 200 CLUB OF BERGEN COUNTY 2023 APPROPRIATIONS 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 \$4,300.00 from the 200 club of Bergen County for the purpose of funding programs for the Jr Police Academy 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:
200 Club – Jr. Police Academy

BE IT FURTHER RESOLVED that a like sum of \$4,300.00 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:
 200 Club – Jr. Police Academy
 Other Expenses - \$4,300.00

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 <input type="checkbox"/> No <input type="checkbox"/> | | | | | | | | | |

Date of Adoption: June 14, 2023

 Linda H. Schwager, Mayor

 Michael E. Carelli, Borough Clerk

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BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: 23-193

TITLE:

**AUTHORIZE INTERLOCAL SEWERAGE AGREEMENT BETWEEN BOROUGH OF OAKLAND,
BOROUGH OF FRANKLIN LAKES, AND K. HOVNANIAN AT OAKLAND, LLC**

WHEREAS, N.J.S.A. 40A:8A-1, known as the “Interlocal Services Act”, authorizes agreements between local units for any services which any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, the Borough of Oakland, Borough of Franklin Lakes, and K. Hovnanian at Oakland, LLC., have determined that it is in their best interests to enter into an Interlocal Service Agreement for providing the installation of a sewer force main extending from the development to an existing manhole in the Borough of Franklin Lakes gravity sewer main located on Colonial Road, and to set forth the procedure for the collection of fees to be billed by the Borough of Franklin Lakes for the additional sewerage flow from the development; and

WHEREAS, the Borough Council agrees that adopting this Interlocal sewerage agreement is in the best interest of the residents of the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Borough Clerk are hereby authorized to execute the sewerage agreement for Interlocal Services with the Borough of Franklin Lakes and K. Hovnanian at Oakland, LLC., effective upon execution of the agreement attached herein.

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: June 14, 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: 23-194

TITLE:

AUTHORIZE RENEWAL OF LIQUOR LICENSES

WHEREAS, the licensees, herein named, filed applications for renewal of their Plenary Retail Consumption Licenses, Plenary Retail Distribution Licenses, and Club Licenses for the period from July 1, 2023 to June 30, 2024, and

WHEREAS, the said applicants have deposited the required fee of \$2,000.00 for said licenses, with the exception of the Club Licenses which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED, that the renewals be issued to the following licenses for the period from July 1, 2023 to June 30, 2024:

| <u>NAME:</u> | <u>LOCATION:</u> | <u>STATE NUMBER:</u> |
|---|------------------------|----------------------|
| Long Hill Liquors, Inc. | 14 Post Road | 0242-44-004-006 |
| Tree House Hospitality | 588 Ramapo Valley Road | 0242-33-005-013 |
| Hansil's Bar and Grill, Inc. | 7 Ramapo Valley Road | 0242-33-011-004 |
| Cenzino Ristorante, LLC. | 589 Ramapo Valley Road | 0242-33-003-008 |
| Beviamo, Inc. (Portobello) | 155 Ramapo Valley Road | 0242-33-010-003 |
| Valley Spirits, Inc. (Oakland Wine & Liquor) | 390 Ramapo Valley Road | 0242-44-006-005 |
| G & H Restaurant Corporation (Oakland Diner) | 72 Ramapo Valley Road | 0242-33-009-006 |
| Elks Lodge, B.P.O.E. 2167 | 33 Ramapo Valley Road | 0242-31-014-001 |
| Ruga Restaurant, LLC (Trovato's Due) | 4 Barbara Lane | 0242-33-001-013 |
| Holiday Spirits (Holiday Bowl) | 29 Spruce Street | 0242-33-012-004 |
| Segovia Prime, LLC | 110 W. Oakland Avenue | 0242-33-008-010 |
| Buona Fortuna (Portobello) | 175 Ramapo Valley Road | 0242-33-002-004 |

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to submit one copy of a certified resolution to the State of New Jersey, Division of Alcoholic Beverage Control Commission, Trenton.

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: June 14, 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: 23-195

TITLE:

**AUTHORIZE RENEWAL OF LIQUOR LICENSES FOR KNIGHT OF COLUMBUS AND AMERICAN
LEGION POST NO. 369**

WHEREAS, the licensee, herein named, filed application for renewal of their Club License for the period from July 1, 2023 to June 30, 2024, and

WHEREAS, the said applicant has deposited the required fee for the Club License which are \$150.00, and filed payment electronically to the Alcoholic Beverage Control Commission, Trenton, New Jersey, and

WHEREAS, the premises of said applicants have been inspected and approved by the Board of Health, Police Department and the Fire Prevention Bureau, Tax and Water Departments.

NOW, THEREFORE, BE IT RESOLVED, that the renewals be issued to the following licenses for the period from July 1, 2023 to June 30, 2024:

| <u>NAME:</u> | <u>LOCATION:</u> | <u>STATE NUMBER:</u> |
|--------------------------|--------------------|----------------------|
| Knights of Columbus 5846 | 7 Courthouse Place | 0242-31-017-001 |
| American Legion Post 369 | 65 Oak Street | 0242-31-013-001 |

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to submit one copy of a certified resolution to the State of New Jersey, Division of Alcoholic Beverage Control Commission, Trenton.

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: June 14, 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: 23-196

TITLE:

APPOINT TEMPORARY CONSTRUCTION OFFICIAL

WHEREAS, there presently exists a vacancy in the position of Construction Official; and

WHEREAS, the Plumbing Sub Code Official, Vincent Pellegrini, meets the qualifications for the title and holds the requisite Construction Official License; and

WHEREAS, N.J.A.C. 4A:4-1.7 allows for the appointment of officials on a temporary basis;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that Vincent Pellegrini be appointed as the Temporary Construction Official at a rate of \$1,000.00 per week, effective May 24, 2023.

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: June 14, 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: 23-197

TITLE:

RESOLUTION RATIFYING THE SIDEBAR AGREEMENT BETWEEN THE BOROUGH OF OAKLAND AND UNITED PUBLIC SERVICE EMPLOYEES UNION (OAKLAND WHITE COLLAR EMPLOYEES) REGARDING SUMMER HOURS SCHEDULE

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

WHEREAS, the parties’ have agreed on an alternating modified workweek schedules available temporarily and for a limited period of time to certain employees of the Borough in the bargaining unit represented by the union; and

WHEREAS, beginning the week of June 19, 2023 and continuing through the week of August 28, 2023, but excluding the week of July 3, 2023, an alternating modified workweek schedule consisting of four (4) days, Monday through Thursday, with seven and three-quarter hour shifts, and one (1) day, Friday, with four (4) hour shifts will be made available to those employees identified within the attachment hereto; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Oakland hereby ratifies the sidebar agreement between the Borough of Oakland and United Public Service Employees Union (Oakland White Collar Employees), which hereby authorizes that beginning the week of June 19, 2023 and continuing through the week of August 28, 2023, but excluding the week of July 3, 2023, an alternating modified workweek schedule consisting of four (4) days, Monday through Thursday, with seven and three-quarter hour shifts, and one (1) day, Friday, with four (4) hour shifts will be made available to those employees identified within the attachment hereto;

BE IT FURTHER RESOLVED, all other terms and conditions contained in the existing collective bargaining agreement between the parties and in the personnel handbook of the Borough of Oakland remain in effect;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the United Public Service Employees Union (Oakland White Collar Employees) representatives.

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: June 14, 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: 23-198

TITLE:

AUTHORIZE GRANT SUBMITTAL TO FY 2023 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP

WHEREAS, the Bureau of Justice Assistance (BJA) is offering the Fiscal Year 2023 Patrick Leahy Bulletproof Vest Partnership (BVP) Grant; and

WHEREAS, the Borough of Oakland wishes to submit an application for funding;

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 submittal of a grant application to the Bureau of Justice Assistance (BJA) for the FY 2023 Patrick Leahy Bulletproof Vest Partnership in the amount of \$5,236.00.

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: June 14, 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: 23-199

TITLE:

AUTHORIZE INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF HILLSDALE TO PROVIDE CHIEF FINANCIAL OFFICER SERVICES

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) provides that local units of government may enter into a contract for the joint provision of any service which either party to said agreement is empowered to render or perform within its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires all municipalities to appoint and employ a chief financial officer; and

WHEREAS, N.J.S.A. 40A:9-140.10 specifically authorizes municipalities to fulfill said obligation by entering into a shared services agreement with another municipality; and

WHEREAS, the Mayor and Borough Council of the Borough of Oakland are constantly exploring options available to the Borough to obtain cost savings for Borough residents in the performance of various services, while still maintaining quality of performance and a high level of professionalism; and

WHEREAS, the Borough of Hillsdale is desirous of entering into a shared services agreement with the Borough of Oakland to utilize the services of David Young, Chief Financial Officer for the Borough of Oakland, who holds a valid Certificate Municipal Finance Officer Certificate from the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:65-6 provides that where a shared services agreement concerns the services of an employee who is "required to comply with a State license or certification requirement as a condition of employment, the agreement shall provide for the payment of a salary to the officer or employee and shall designate one of the local units as the primary employer of the officer or employee for the purpose of that person's tenure rights...[and if] the agreement fails to designate one of the local units as the primary employer, then the local unit having the largest population, shall be deemed the primary employer for the purposes of that person's tenure rights"; and

WHEREAS, pursuant to said provision, the Borough of Oakland shall be designated as the primary employer for purposes of this agreement; and

WHEREAS, the Borough of Oakland and Borough of Hillsdale have agreed upon the basic terms of a Shared Services Agreement whereby the Borough of Hillsdale will pay to the Borough of Oakland the sum of \$99,000.00, and to be increased by three (3%) each year that the agreement remains in effect, in exchange for the Borough of Oakland providing the Borough of Hillsdale with the services of its Chief Financial Officer, to perform the services of the Chief Financial Officer for the Borough of Oakland as needed for 20 hours per week; and

WHEREAS, the term of the shared services agreement shall remain in effect from July 1, 2023 through June 30, 2026; and

WHEREAS, it is the intention of the Borough of Oakland and the Borough of Hillsdale to enter into a Shared Services Agreement concerning the position of Chief Financial Officer for the Borough of Hillsdale, pursuant to the provisions of N.J.S.A. 40A:65-1, et seq. and N.J.S.A. 40A:9-140.10; and

WHEREAS, N.J.S.A. 40A:65-5(a) requires that the Shared Services Agreement be approved by resolution of the governing body of each participating municipality; and

WHEREAS, pursuant to N.J.S.A. 40A:65-5(b), upon execution of the final Shared Services Agreement, a copy of the Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs and made available for public inspection at the Municipal Building.

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 Mayor and Borough Clerk are authorized and empowered to execute a Shared Services Agreement and all other necessary documents with the Borough of Hillsdale in order to effectuate the purposes of this Resolution.

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: June 14, 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: 23-200

TITLE:

HIRE DEPARTMENT OF PUBLIC WORKS SEASONAL LABORER

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 the following Seasonal Laborers for the Department of Public Works:

| <u>NAME:</u> | <u>EFFECTIVE DATE:</u> | <u>SALARY RATE:</u> |
|------------------|------------------------|---------------------|
| George Aravantis | May 19, 2023 | \$15.00 per hour |

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: June 14, 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: 23-201

TITLE:

**AWARD CONTRACT TO CLEARY GIACOBBE ALFIERI JACOBS LLC FOR WATER AND SEWER
SPECIAL COUNSEL SERVICES**

WHEREAS, the Borough of Oakland is pursuing discussion with the Northwest Bergen County Utilities Authority for sewer service and has a need for legal expertise related to both the water and sewer utilities; and

WHEREAS, it is necessary to seek special counsel to represent the Borough of Oakland in this regard; and

WHEREAS, the Borough has received a proposal from John Napolitano and the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC at a cost not to exceed \$25,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #3-01-20-155-028; and

WHEREAS, this contract is for professional service for which no public bidding is required; and

WHEREAS, Cleary, Giacobbe, Alfieri and Jacobs, LLC has complied with the Borough's Pay-to-Play requirements as outlined in Ordinance 12-CODE-669 adopted July 11, 2012;

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 award a contract to John Napolitano of Cleary, Giacobbe, Alfieri and Jacobs, LLC in an amount not to exceed \$25,000.00; and

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

RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: June 14, 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: 23-202

TITLE:

AUTHORIZE ADMINISTRATIVE CONSENT ORDER WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR PFAS TREATMENT

WHEREAS, the Borough of Oakland owns and operates a public community water system as defined by N.J.A.C. 7:10-1.3, and is located at 63 Oak Street, Oakland, N.J. 07436; and

WHEREAS, the Borough of Oakland system is comprised of seven (7) active potable wells that supply groundwater to four (4) active points of entry; and

WHEREAS, in furtherance of the agreement between the Borough and the New Jersey Department of Environmental Protection, the Parties have agreed to enter into an Administrative Consent Order enumerating same, which is attached hereto and is incorporated herein;

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 Borough of Oakland hereby approves the Administrative Consent Order between the Borough and the New Jersey Department of Environmental Protection, attached hereto and incorporated herein.
2. The Borough hereby authorizes the Mayor, or his/her designee, to take all steps reasonable and necessary to effectuate the terms of this Resolution.
3. The Borough hereby authorizes the Mayor, or his/her designee, to execute the Administrative Consent Order with the New Jersey Department of Environmental Protection.

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: June 14, 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: 23-203

TITLE:

CANCEL CAPITAL BALANCES

WHEREAS, certain Capital Improvement Authorization balances remain dedicated to projects which have been completed; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Oakland, that the following balances of unexpended Capital Improvement Authorizations be cancelled as follows:

General Capital:

| Ordinance Number | <u>Description</u> | Unexpended Improvement <u>Authorization Balance to Cancel</u> | ACTION | |
|--------------------------------|--------------------|--|-----------|-----------|
| | | | <u>DB</u> | <u>CR</u> |
| 22-885 | DPW Lawn Mower | \$6,155.75 | IAF | CIF |
| 17-760 | Various Purchases | \$25,443.56 | IAF | CIF |
| 17-749 | Library Section 20 | \$16,513.31 | IAF | CIF |
| Total – General Capital | | \$ 48,111.62 | | |

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: June 14, 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-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.

REIDENTIAL 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.

Linda H. Schwager, Mayor

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

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.

Linda H. Schwager, Mayor

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 |
|------------------------|--------------|

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.

Linda H. Schwager, Mayor

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

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.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



ORDINANCE NO. 23-CAPITAL-909

**CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY
AUTHORIZING THE MAKING OF VARIOUS IMPROVEMENTS TO BUSH PARK IN, BY AND FOR THE
BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$360,000.00 AND PROVIDING THAT SUCH
SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE
BOROUGH - \$232,005.00 AND FROM A BERGEN COUNTY OPEN SPACE GRANT IN THE AMOUNT OF -
\$127,995.00**

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

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

Bush Plaza Park Improvements:

Installation of sidewalks, curbing, Clock Tower, trees and grassy area.

Estimated Cost Total: \$360,000.00

Section 2. The sum of \$360,000.00 is hereby appropriated to the payment of the cost of the improvements authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund and a Bergen County Open Space Grant. The sum of \$232,005.00 is hereby appropriated from the Capital Improvement Fund of the Borough to the payment of the cost of said purpose. A \$127,995.00 Bergen County Open Space Grant received or to be received by the Borough is hereby appropriated to finance the payment of the cost of said purpose.

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

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

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

Adopted this ___ day of
_____, 2023.

Linda H. Schwager, Mayor

Michael E. Carelli, Borough Clerk



BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



Resolution No: (6-14-2023)

TITLE:

BILLS RESOLUTION

BILLS ALREADY PAID:

| | |
|----------------------------------|----------------------------|
| Payroll | \$196,482.33 |
| Payroll Agency | \$112,980.77 |
| Current | \$12,545.75 |
| Water | \$0.00 |
| Grant | \$0.00 |
| Sewer | \$0.00 |
| Trust | \$1,226.46 |
| Capital | \$0.00 |
| TOTAL BILLS ALREADY PAID: | <u>\$323,326.25</u> |

BILLS TO BE PAID:

| | |
|--------------------------------|----------------------------|
| Current Fund | \$560,627.27 |
| Water Operating | \$3,361.22 |
| Sewer | \$22,851.82 |
| General Capital | \$65,490.96 |
| Water Capital | \$0.00 |
| Sewer Capital | \$34,006.25 |
| Grant | \$13,604.20 |
| Animal Control | \$35.40 |
| Other Trusts | \$6,382.70 |
| TOTAL BILLS TO BE PAID: | <u>\$706,359.82</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: June 14, 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.