

**BOROUGH COUNCIL MEETING**  
**September 13, 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 Saliani, *President*  
Eric Kulmala  
John McCann  
Pat Pignatelli  
Kevin Slasinski  
Russell Talamini

**September 13, 2023 – 7:00 p.m.**

#### EXECUTIVE SESSION

**6:30 P.M.**

- Executive Items

#### CALL TO ORDER

***Mayor Linda H. Schwager Presiding***

- Statement of Compliance with Open Public Meetings Act:

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

- Pledge of Allegiance to the Flag & Moment of Silence

#### ROLL CALL

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

#### MAYOR'S REPORT

***Mayor Linda H. Schwager***

#### ENGINEER'S REPORT

***Borough Engineer***

#### OPEN PUBLIC COMMENT

***General Public***

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

#### APPROVAL OF MINUTES

***Borough Council***

- August 16, 2023
- August 16, 2023 Executive Session

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

***Borough Council***

- Proclamation for Knock Out Opioid Abuse Day 2023
- Appointment to Communications Commission
- Approve Social Affairs Permit for Oakland Elks Lodge #2167 for September 30, 2023
- Approve Social Affairs Permit for Oakland Elks Lodge #2167 for November 18, 2023
- Authorize Raffle License #RL1461 for Ramapo Bergen Animal Refuge, Inc. for On-Premise Raffle for Merchandise on March 17, 2024 at 2 Shelter Lane, Oakland, N.J. 07436
- Appointment to Access for All Committee

- Authorize Raffle License #RL1462 for Oakland Elks Lodge #2167 for On-Premise Raffle for Merchandise on November 18, 2023 at 33 Ramapo Valley Road, Oakland, N.J. 07436
- Authorize Raffle License #RL1463 for Oakland Elks Lodge #2167 for On-Premise 50/50 Cash Raffle on November 18, 2023 at 33 Ramapo Valley Road, Oakland, N.J. 07436

<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.*

- 23-259:** Award Contract to Boswell Engineering for Engineering Services for Lakeview Terrace Storm Sewer Upgrades Project
- 23-260:** Award Contract to Boswell Engineering for Engineering Services for Jerome Avenue Storm Sewer Upgrades Project
- 23-261:** Authorize Grant Submittal to FY 2023 Bergen County CDBG Unprogrammed Funds for Jerome Avenue Storm Improvements Project
- 23-262:** Authorize Grant Submittal to FY 2023 Bergen County CDBG Unprogrammed Funds for Senior Center Improvements Project
- 23-263:** Authorize Grant Agreement for Bergen County Community Development Block Grant CDBG FY 2023 for Lakeview Terrace Storm Sewer Upgrades Project
- 23-264:** Authorize Refund of Taxes for Nikolas Mezas Due to Disabled Veterans Exemption
- 23-265:** Authorize Refund of Recreation Fees
- 23-266:** Authorize Purchase of Replacement Senior Center Bus
- 23-267:** Amend Contract with Cleary Giacobbe Alfieri Jacobs LLC for Professional Borough Tax Appeal Attorney Services
- 23-268:** Amend Contract with Boswell Engineering for Professional Borough Engineer Services
- 23-269:** Amend Contract with T&M Associates for Professional Borough Planner Services
- 23-270:** Authorize Donation of Borough Vehicle
- 23-271:** Authorize Refund of Taxes Due to Overpayment
- 23-272:** Resolution in Support of Stay New Jersey Senior Property Tax Program
- 23-273:** Authorize Chapter 159 for 2023 State of New Jersey Department of Agriculture Spotted Lanternfly Chemical Control Treatment Grant Program
- 23-274:** Authorize Refund of Taxes for PSE&G Services Corp. for Taxes Years 2016, 2017, and 2018 Due to Tax Court Appeals
- 23-275:** Accept Donation of Park Bench
- 23-276:** Award Contract to Boswell Engineering for Construction Inspection Services for Water Treatment System Improvements Wells 5, 9, and 10 Project

<b>ORDINANCES:</b>	
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**Introduction:**

- 23-Code-928:** An Ordinance Amending Chapter 2, Section 25 of the Oakland Code to Comply with the Elections Transparency Act

**WORK SESSION**

- Borough Council Bylaws
- Purchase of Oakland First Aid Squad Vehicle
- Redevelopment Assessment Proposal

**NEW BUSINESS**

**OLD BUSINESS**

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

**OPEN PUBLIC COMMENT** *General Public*

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

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

**ADJOURNMENT**

The next Borough Council Meeting will be held on Wednesday September 27, 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: 23-259

**TITLE:**

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR  
LAKEVIEW TERRACE STORM SEWER UPGRADES PROJECT**

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**WHEREAS**, there is a need for engineering services for the Lakeview Terrace Storm Sewer Upgrades Project; and

**WHEREAS**, Boswell Engineering has submitted a proposal dated September 7, 2023 for services required at a total cost not to exceed cost of \$19,000.00, broken down as follows:

<b>TASK #1:</b>	Data Collection:	\$4,000.00
<b>TASK #2:</b>	Design:	\$15,000.00

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-04-56-855-301 in the amount of \$4,900.00 and Account #C-04-56-855-302 in the amount of \$14,100.00; 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 Lakeview Terrace Storm Sewer Upgrades Project at a cost not to exceed \$19,000.00; 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 September 13, 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: 23-260

**TITLE:**

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR ENGINEERING SERVICES FOR JEROME AVENUE STORM SEWER UPGRADES PROJECT**

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**WHEREAS**, there is a need for engineering services for the Jerome Avenue Storm Sewer Upgrades Project; and

**WHEREAS**, Boswell Engineering has submitted a proposal dated September 7, 2023 for services required at a total cost not to exceed cost of \$22,000.00, broken down as follows:

<b>TASK #1:</b>	Data Collection:	\$4,000.00
<b>TASK #2:</b>	Design:	\$18,000.00

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-04-56-885-801 in the amount of \$22,000.00; 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 Jerome Avenue Storm Sewer Upgrades Project at a cost not to exceed \$22,000.00; 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 September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-261

**TITLE:**

**AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CDBG FY 2023 UNPROGRAMMED FUNDS GRANT PROGRAM FOR JEROME AVENUE STORM IMPROVEMENTS PROJECT**

**WHEREAS**, a Bergen County Community Development Block Grant CDBG Unprogrammed Funds Application in the amount of \$163,750.00 has been proposed by the Borough of Oakland for the Jerome Avenue Storm Improvements Project in the Borough of Oakland; and

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

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

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

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

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

### RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: September 13, 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: 23-262

**TITLE:**

**AUTHORIZE GRANT SUBMITTAL TO BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT CDBG FY 2023 UNPROGRAMMED FUNDS GRANT PROGRAM FOR SENIOR CENTER IMPROVEMENTS PROJECT**

**WHEREAS**, a Bergen County Community Development Block Grant CDBG Unprogrammed Funds Application in the amount of \$35,167.22 has been proposed by the Borough of Oakland for the Senior Center Improvements Project in the Borough of Oakland; and

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

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

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

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

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

### RECORD OF COUNCIL VOTE:

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

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

Date of Adoption: September 13, 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: 23-263

**TITLE:**

**AUTHORIZE GRANT AGREEMENT FOR BERGEN COUNTY COMMUNITY DEVELOPMENT  
BLOCK GRANT CDBG FY 2023 FOR LAKEVIEW TERRACE STORM SEWER IMPROVEMENTS  
PROJECT**

**BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$100,834.00 in 2023 Community Development Block Grant funds for the Lakeview Terrace Storm Sewer Improvements Project;

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council hereby authorizes the Mayor and Borough Clerk to be signatories for the aforesaid grant agreement; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council hereby authorizes the Borough Administrator to sign all County vouchers submitted in connection with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council recognize that the Borough of Oakland is liable for any funds not spent in accordance with the grant agreement, and that liability of the Mayor and Borough Council is in accordance with HUD requirements.

### RECORD OF COUNCIL VOTE:

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

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

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

Date of Adoption: September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-264

**TITLE:**

**AUTHORIZE REFUND OF TAXES FOR NIKOLAS MEZIAS DUE TO DISABLED VETERANS  
EXEMPTION**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$1,442.43; 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 Tax Refund #CF-01-55-998-002;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$1,442.43 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Nikolas Mezas	62 Cardinal Drive, Oakland, N.J. 07436	5002	45

### 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: September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-265

**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 \$426.00; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$426.00 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>SPORT TYPE</u>	<u>AMOUNT</u>
Quill Family	89 Martha Place, Oakland, N.J. 07436	Soccer	\$90.00
Asala Family	34 Mohawk Avenue, Oakland, N.J. 07436	Cheer Camp	\$168.00
Kuhr Family	16 Arrowhead Road, Oakland, N.J. 07436	Cheer Camp	\$168.00

### 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: September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-266

**TITLE:**

**AUTHORIZE PURCHASE OF REPLACEMENT SENIOR CENTER BUS**

**WHEREAS**, the Borough of Oakland is in need of a replacement shuttle bus for the Borough of Oakland Senior Center; and

**WHEREAS**, H.A. DeHart & Son, Inc., 311 Crown Point Road, Thorofare, N.J. 08086 has the has the Hunterdon County Educational Services Commission Contract #HCESCVEH-22-11 for the shuttle bus as per the specifications desired; and

**WHEREAS**, the total cost for the replacement shuttle bus is \$126,711.60; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account #C-04-56-907-401;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, that the Qualified Purchasing Agent of the Borough of Oakland is hereby authorized to issue a Purchase Order to H.A. DeHart & Son, Inc. for the purchase of one (1) Ford E450 14 Passenger Shuttle Bus at a total cost of \$126,711.60.

### 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: September 13, 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: 23-268**

**TITLE:**

**AMEND CONTRACT WITH BOSWELL ENGINEERING FOR PROFESSIONAL BOROUGH  
ENGINEER SERVICES**

**WHEREAS**, the Mayor and Borough Council awarded a contract for Professional Borough Engineer Services for 2023 to Boswell Engineering in the amount not to exceed \$30,600.00; and

**WHEREAS**, there is a need to amend the contract by an additional \$8,300.00; and

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

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account #2-01-20-165-021;

**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 2022 contract for Boswell Engineering for Professional Borough Engineer Services is increased by \$8,300.00 for a new total of \$38,900.00.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



**Resolution No: 23-269**

**TITLE:**

**AMEND CONTRACT WITH T&M ASSOCIATES FOR PROFESSIONAL BOROUGH PLANNER SERVICES**

**WHEREAS**, the Mayor and Borough Council awarded a contract for Professional Borough Planner Services for 2023 to T&M Associates in the amount not to exceed \$9,500.00; and

**WHEREAS**, there is a need to amend the contract by an additional \$9,500.00; and

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

**WHEREAS**, the Chief Financial Officer has certified that funds are available in Account #3-01-20-110-044;

**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 2023 contract for T&M Associates for Professional Borough Planner is increased by \$9,500.00 for a new total of \$19,000.00.

**RECORD OF COUNCIL VOTE:**

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

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

Date of Adoption: September 13, 2023

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

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

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# BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY



## Resolution No: 23-270

**TITLE:**

**AUTHORIZE DONATION OF BOROUGH VEHICLE**

**WHEREAS**, the Borough of Oakland owns a 2004 Chevrolet Suburban; and

**WHEREAS**, the vehicle is no longer needed for public purposes in the Borough of Oakland; and

**WHEREAS**, N.J.S.A. 40A: 11-36 permits the transfer of property no longer needed for public purposes to other public entities; and

**WHEREAS**, a request has been made by the Wantage Township Fire Department, 218 Rt. 519, Wantage, N.J. 07461, for a donation of the 2004 Chevrolet Suburban; and

**WHEREAS**, the Fire Chief has recommended the donation of the vehicle to assist their Fire Department;

**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 it hereby authorizes the donation of a surplus 2004 Chevrolet Suburban, VIN #3GNFK16T84G190697 to the Wantage Township Fire Department, effective immediately.

### RECORD OF COUNCIL VOTE:

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

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

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

Date of Adoption: September 13, 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: 23-271

**TITLE:**

**AUTHORIZE REFUND OF TAXES DUE TO OVERPAYMENT**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$4,350.85; 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 Tax Refund #CF-01-55-998-002;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$4,350.85 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
Nikolas Mezas	62 Cardinal Drive, Oakland, N.J. 07436	5002	45

### 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: September 13, 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: 23-273**

**TITLE:**

**AUTHORIZE CHAPTER 159 FOR 2023 STATE OF NEW JERSEY DEPARTMENT OF  
AGRICULTURE SPOTTED LANTERNFLY CHEMICAL CONTROL TREATMENT PROGRAM**

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

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

**WHEREAS**, the Borough of Oakland has received a grant in the amount of \$15,000.00 from the Spotted Lanternfly Reimbursement Program for the purpose of insect control 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:  
Spotted Lanternfly Reimbursement Program

**BE IT FURTHER RESOLVED** that a like sum of \$15,000.00 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:  
     Spotted Lanternfly Reimbursement  
     Other Expenses - \$15,000.00

**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: September 13, 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: 23-274

**TITLE:**

**AUTHORIZE REFUND OF TAXES TO PSE&G SERVICES CORP. FOR TAX YEARS 2016, 2017,  
AND 2018 DUE TO TAX COURT APPEALS**

**WHEREAS**, the Borough of Oakland has received a request (attached) for a refund of taxes in the total amount of \$32,912.89; 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 Tax Refund #3-01-55-998-001;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland hereby authorize payment in the total amount of \$32,912.89 to:

<u>NAME</u>	<u>ADDRESS</u>	<u>BLOCK</u>	<u>LOT</u>
PSE&G Services Corp, Corp Properties Department	80 Park Plaza 6 <sup>th</sup> Floor, Newark, N.J. 07102- 4194	3601	41

### 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: September 13, 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: 23-275

**TITLE:**

**ACCEPT DONATION OF PARK BENCH**

**WHEREAS**, Colleen Pope and Liesa DeNardo of the Borough of Oakland have generously offered to donate a park bench to be placed along River Road near the Ramapo River in the Borough of Oakland in memory of Cal Learsch; and

**WHEREAS**, the amenity will be a benefit to the residents of the Borough of Oakland;

**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, hereby accept the generous donation of a park bench to be placed along River Road near the Ramapo River in the Borough of Oakland, and commend Colleen Pope and Liesa DeNardo for their kind act of generosity;

**BE IT FURTHER RESOLVED**, that the Oakland Department of Public Works will install the bench;

**BE IT FURTHER RESOLVED**, that the donors are hereby authorized to have a small placard on the bench inscribed to reflect their donation.

### 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: September 13, 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: 23-276

**TITLE:**

**AWARD CONTRACT TO BOSWELL ENGINEERING FOR CONSTRUCTION INSPECTION SERVICES FOR WATER TREATMENT SYSTEM IMPROVEMENTS WELLS 5, 9, AND 10 PROJECT**

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**WHEREAS**, there is a need for construction inspection services for the Water Treatment System Improvements Project for Wells 5, 9, and 10; and

**WHEREAS**, Boswell Engineering has submitted a proposal dated August 11, 2023 for services required at a total cost not to exceed cost of \$240,000.00; and

**WHEREAS**, the Chief Financial Officer has certified funds are available in Account #C-06-56-903-201 in the amount of \$240,000.00; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Oakland, in the County of Bergen, and State of New Jersey, hereby authorize Boswell Engineering to perform the construction inspection services for the Water Treatment System Improvements Project for Wells 5, 9, and 10 at a cost not to exceed \$240,000.00; 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 September 13, 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-928

### AN ORDINANCE AMENDING CHAPTER 2, SECTION 25 OF THE OAKLAND CODE TO COMPLY WITH THE ELECTIONS TRANSPARENCY ACT

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**WHEREAS**, the Borough of Oakland previously adopted Ordinance #12-Code-669 creating local restrictions on awarding public contracts to certain contributors; and

**WHEREAS**, such a provision was permissible under the New Jersey statutes in effect at the time; and

**WHEREAS**, on April 3, 2023, New Jersey Governor Phil Murphy signed into law the Elections Transparency Act (A4372), which contained significant changes to the state's campaign finance laws; and

**WHEREAS**, the Elections Transparency Act prohibits local ordinances which contain stricter campaign finance provisions than the state statutes; and

**WHEREAS**, due to the aforementioned provisions, the Election Transparency Act has rendered Chapter 2, Section 25 of the Oakland Borough Code null and void in its entirety; and

**WHEREAS**, the Borough of Oakland desires its ordinances to be in compliance with state statutes

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

**Section I.** Chapter 2, Section 25 of the Borough of Oakland Code entitled "Awarding of Public Contracts; Restrictions" is repealed in its entirety as inconsistent with New Jersey state statutes

**Section II.** All other parts, portions and provisions of Chapter 2 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: (09-13-2023)

**TITLE:**

**BILLS RESOLUTION**

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**BILLS ALREADY PAID:**

Payroll	\$217,832.57
Payroll Agency	\$115,829.27
Current	\$2,871,316.02
Water	\$200.00
Grant	\$0.00
Sewer	\$0.00
Trust	\$18.00
Capital	\$0.00
<b>TOTAL BILLS ALREADY PAID:</b>	<b><u>\$3,266,855.46</u></b>

**BILLS TO BE PAID:**

Current Fund	\$878,460.16
Water Operating	\$52,245.48
Sewer	\$23,283.92
General Capital	\$60,994.06
Water Capital	\$363.00
Grant	\$91,260.16
Animal Control	\$0.00
Other Trusts	\$41,911.00
<b>TOTAL BILLS TO BE PAID:</b>	<b><u>\$2,739,919.84</u></b>

**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: September 13, 2023

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

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