

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY JANUARY 14, 2015

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Jensen, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed on roll call vote:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, (N.J.S.A. 10:4-12) permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

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

1. The public shall be excluded from discussion of action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:  
Tax Appeal Settlements
3. The Mayor and Council shall release and disclose to the general public the discussion and actions taken on the subject matter of the above mentioned closed session once the Mayor and Council has arrived at a final decision on the specified subject matter.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Kulmala, seconded by Councilman Talamini, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:36 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

MEETING ANNOUNCEMENT: Mayor Schwager announced this meeting is being held in accordance with the Open Public Meetings Law duly announced and included in the schedule of regular meetings.

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**MAYOR'S REPORT:**

Mayor Schwager advised that three Dogwood School students won a poster contest and are featured in the Bergen County calendar. They are Tyler Bracco, Christy Zola and Dylan Dietrich. K-8 School Superintendent Dr. Coffaro had advised that there is a new traffic pattern for pick up at Valley Middle School. Six meetings had been held to discuss the new traffic pattern. Oakland Police officers were there to assist with the new procedures and Dr. Coffaro wanted to thank them. Mayor Schwager advised that appointments will be made tonight but there are still vacancies on certain Boards and Commissions. Next week, the Borough will have a meeting with the Highlands Council to discuss the Wastewater Management Plan. Mayor Schwager advised that repairs are being made on the Van Allen House roof. A meeting will be held tomorrow night at the Library Board to discuss the Library renovation project. Mayor Schwager advised that a poster displaying an award won by Kevin Boswell for the River Bank Stabilization project is at Borough Hall.

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPROVAL OF MINUTES: DECEMBER 22, 2014**

On motion of Councilman Jensen, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of December 22, 2014 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini.  
Abstain, Councilman Visconti.

APPROVAL OF MINUTES: DECEMBER 22, 2014 EXECUTIVE SESSION

On motion of Councilwoman Coira, seconded by Councilman Jensen, the minutes from the Mayor and Council Executive Session of December 22, 2014 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini.  
Abstain, Councilman Visconti.

APPOINTMENTS OF BOROUGH PROFESSIONALS:

APPOINTMENT OF BOROUGH ATTORNEY:

Mayor Schwager brought forth the nomination of Brian Chewcaskie of the firm Gittleman, Muhlstock and Chewcaskie as Borough Attorney for 2015.

MOTION TO CONSENT:

On motion of Councilman Jensen, seconded by Councilwoman Coira, the Council consented to the appointment of Brian Chewcaskie as Borough Attorney for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini,  
Visconti.

APPOINTMENT OF BOROUGH ENGINEER:

Mayor Schwager brought forth the nomination of Kevin Boswell of Boswell McClave Engineering as Borough Engineer for 2015.

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council consented to the appointment of Kevin Boswell as Borough Attorney for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini,  
Visconti.

APPOINTMENT OF BOROUGH AUDITOR:

Mayor Schwager brought forth the nomination of Frank DiMaria of DiMaria and DiMaria as Borough Auditor for 2015.

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council consented to the appointment of Frank DiMaria as Borough Auditor for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini,  
Visconti.

APPOINTMENT OF BOND COUNSEL:

Mayor Schwager brought forth the nomination of Steven Rogut of Rogut McCarthy as Bond Counsel for 2015.

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the Council consented to the appointment of Steven Rogut as Bond Counsel for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini,  
Visconti.

**APPOINTMENT OF RISK MANAGER-LIABILITY**

Mayor Schwager brought forth the nomination of Brown and Brown as Risk Manager-Liability for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the nomination of Brown and Brown as Risk Manager-Liability for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF RISK MANAGER-HEALTH BENEFITS:**

Mayor Schwager brought forth the nomination of Vozza Agency as Risk Manager-Health Benefits for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Visconti, seconded by Councilman Kulmala, the Council consented to the appointment of Vozza Agency as Risk Manager-Health Benefits for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT BOROUGH PLANNER:**

Mayor Schwager brought forth the nomination of Steve Lydon from Burgis Associates as Borough Planner for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Visconti, seconded by Councilman Jensen, the Council consented to the appointment of Steve Lydon as Borough Planner for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF WATER & SEWER ENGINEER:**

Mayor Schwager brought forth the nomination of Kevin Boswell of Boswell McClave Engineering as Water & Sewer Engineer for 2015.

**MOTION TO CONSENT:**

On motion of Councilwoman Coira, seconded by Councilman Jensen, the Council consented to the appointment of Kevin Boswell as Water & Sewer Engineer for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF LABOR ATTORNEY:**

Mayor Schwager brought forth the nomination of Matthew Giacobbe of Cleary Giacobbe Alfieri Jacobs LLC as Labor Attorney for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the appointment of Matthew Giacobbe as Labor Attorney for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF BOROUGH PROSECUTOR:**

Mayor Schwager brought forth the nomination of Thomas Buonocore as Borough Prosecutor for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Visconti, seconded by Councilman Pignatelli, the Council consented to the appointment of Thomas Buonocore as Borough Prosecutor for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF ALTERNATE BOROUGH PROSECUTOR:**

Mayor Schwager brought forth the nomination of Andrew Roth as Alternate Borough Prosecutor for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Visconti, seconded by Councilwoman Coira, the Council consented to the appointment of Andrew Roth as Alternate Borough Prosecutor for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT OF PUBLIC DEFENDER:**

Mayor Schwager brought forth the nomination of Nina Remson as Public Defender for 2015.

**MOTION TO CONSENT:**

On motion of Councilwoman Coira, seconded by Councilman Visconti, the Council consented to the appointment of Nina Remson as Public Defender for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT ALTERNATE PUBLIC DEFENDER:**

Mayor Schwager brought forth the nomination of Robert Kane as Alternate Public Defender for 2015.

**MOTION TO CONSENT:**

On motion of Councilman Visconti, seconded by Councilman Kulmala, the Council consented to the appointment of Robert Kane as Alternate Public Defender for 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENTS TO BOARDS AND COMMISSIONS:**

**FLOOD COMMISSION:**

Mayor Schwager brought forth the nomination of Ted O'Grady and Dot O'Connor for reappointment to the Flood Commission.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the Council consented to the reappointment of Ted O'Grady and Dot O'Connor to three-year terms on the Flood Commission.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT TO BOARD OF HEALTH:**

Mayor Schwager brought forth the nomination of Stephen Tiffinger for reappointment to the Board of Health.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council consented to the reappointment of Stephen Tiffinger to the Board of Health for a three-year term.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT TO COMMUNICATIONS COMMISSION:**

Mayor Schwager brought forth the nomination of Peter Foley, Frank Coppa and Kerry Thurston for appointment to the Communications Commission.

**MOTION TO CONSENT:**

On motion of Councilman Kulmala, seconded by Councilman Visconti, the Council consented to the appointment of Peter Foley, Frank Coppa, and Kerry Thurston to the Communications Commission for three-year terms.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENTS TO OFFICE OF EMERGENCY MANAGEMENT:**

Mayor Schwager brought forth the following names for appointment to the Office of Emergency Management for a one-year term:

Emergency Management Coordinator	Roy Bauberger, 3 Year Term to 12/31/16
Deputy Coordinator	Tim Ryan
Deputy Coordinator	Leonard Tanis
Deputy Coordinator	Anthony Marcucilli
Emergency Operations Coordinator	Robert DeBoer Sr.
Police Liaison	Chief Ed Kasper
Police Liaison	Thomas Pianettini
Police Liaison	Keith Docwra
Fire Liaison	Chief Curtis LeRoy
Fire Liaison	Asst. Chief Charles Kelly
Fire Liaison	Asst. Chief Dave Hutsebaut
First Aid Liaison	Captain Jeff Marcheso
First Aid Liaison	Lt. Shirley Hutsebaut
First Aid Liaison	Lt. Kevin McMackin
Mayor	Mayor Linda H. Schwager
Council liaison	Councilman Eric Kulmala
Borough Administrator	Richard Kunze
Shelter Coordinator	Don Broek
CERT Team Coordinator	Steve Farley
OFD Auxiliary	Lois Smid
OFD Auxiliary	Judy Koeber
Construction Code Official	Dan Hagberg
DPW Equipment Operator	Jason Duncan
DPW Municipal Damage Assessment	Scott Ciccarella
Local Board of Education	Principal Glenn Clark
Local Board of Education	Robert Jacod

Local Board of Education	Joe Tumminia
Technology Resources	Erin Bauberger
Animal Rescue Coordinator	Tony Smid
Drill Coordination	Ed Tryon
Sara 3 Representative	Doug Brown
Local Resources	Dave Potash
Technology Resources	Jane Madden
Board of Health	Steve Tiffinger
River Cleanup Coordinator	John Madden
Oakland Communications Liaison	Fred Birks

**MOTION TO CONSENT:**

On motion of Councilman Kulmala, seconded by Councilman Pignatelli, the Council consented to the appointments to Office of Emergency Management for one-year terms.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENT TO PUBLIC EVENTS COMMITTEE:**

Mayor Schwager advised that no one submitted Citizen Leadership forms yet so no appointments will be made tonight.

**APPOINTMENT TO GREEN TEAM:**

Mayor Schwager brought forth the nomination of Michael Kozak, Kristen DaSilva, Peter Kikot, Nancy Krause and Gina Mayer-Costa for appointment to the Green Team.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the appointments of Michael Kozak, Kristen DaSilva, Peter Kikot, Nancy Krause, and Gina Mayer-Costa for one-year terms on the Green Team.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENTS TO ENVIRONMENTAL COMMISSION:**

Mayor Schwager brought forth the nomination of Erich Kamm and Lee Haymon for appointment to three-year terms on the Environmental Commission and Alex Myers to a two-year term as Alternate 1.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the Council consented to the appointment of Erich Kamm and Lee Haymon to three-year terms and Alex Myers to a two-year term as Alternate 1 on the Environmental Commission.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENTS TO BOARD OF ADJUSTMENT:**

Mayor Schwager brought forth the nomination of Howard Wegman and Anthony Smid for reappointment to Board of Adjustment.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council consented to the reappointment of Howard Wegman and Anthony Smid to four-year terms on the Board of Adjustment.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

Mayor Schwager brought forth the nomination of Edward Ackerly for reappointment to a two-year term as Alternate 1 and Gina Steele to an unexpired term as Alternate II.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the reappointment of Edward Ackerly to a two-year term as Alternate 1 and Gina Steele to an unexpired term as Alternate II.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPOINTMENTS TO PLANNING BOARD:**

Mayor Schwager reappointed Tom Potash, Elaine Rowin, and Lee Haymon to four-year terms on the Planning Board. Mayor Schwager appointed John Madden to a two-year term as Alternate 1.

**APPOINTMENT TO RECREATION COMMISSION:**

Mayor Schwager appointed Steve Saliani to a five-year term on the Recreation Commission. She advised there is an opening in the Alternate II position.

**APPROVAL RAFFLE LICENSE RL1234**

On motion of Councilwoman Coira, seconded by Councilman Jensen, approval be granted for Raffle License RL1234 for Gerard Berman Day School to hold an off-premise raffle for merchandise on March 11, 2015, 45 Spruce Street.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**APPROVAL RAFFLE LICENSE RL1235**

On motion of Councilwoman Coira, seconded by Councilman Kulmala, approval be granted for Raffle License RL1235 for Indian Hills PTSO to hold on-premise 50/50 raffles on March 24, 2015, April 23, 2015 and April 24, 2015 at Indian Hills High School.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**CONSENT AGENDA:**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolutions be introduced, adopted and duly passed by roll call vote:

WHEREAS, in an effort to expeditiously conduct certain Borough matters, the Mayor and Council of the Borough of Oakland are desirous of adopting a Consent Agenda of Resolutions numbered 004 through 029, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 004 through 029 inclusive have been distributed to the Mayor and all Councilmembers and all having approved and consented to their adoption in this form.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that they hereby unanimously adopt Resolutions No. 004 through 029, as set forth and attached hereto as if said Resolutions were singularly read and voted upon by the Mayor and Council.

**RESOLUTIONS**

- NUMBER 4 - RATE OF INTEREST ON DELINQUENT MUNICIPAL CHARGES
- NUMBER 5 - PETTY CASH FUNDS
- NUMBER 6 - SIGNATORIES - PAYROLL ACCOUNTS
- NUMBER 7 - OFFICIAL DEPOSITORY - MUNICIPAL COURT ACCOUNT
- NUMBER 8 - AUTHORIZATION INVEST BOROUGH FUNDS
- NUMBER 9 - SIGNATORIES - BANK ACCOUNTS
- NUMBER 10 - CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS DEPOSITORIES
- NUMBER 11- OFFICIAL DEPOSITORIES DESIGNATED
- NUMBER 12- APPOINTING CERTIFYING OFFICERS
- NUMBER 13- CERTIFYING OFFICIAL - RAFFLES AND BINGO
- NUMBER 14- COUNTY COOPERATIVE PURCHASING PROGRAM
- NUMBER 15- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES
- NUMBER 16- JOINT INSURANCE FUND COMMISSIONER
- NUMBER 17- JOINT INSURANCE FUND ALTERNATE COMMISSIONER -CFO
- NUMBER 18- JOINT INSURANCE FUND SAFETY DELEGATE – EDWARD KASPER
- NUMBER 19- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – JASON DUNCAN
- NUMBER 20-PETTY CASH
- NUMBER 21-TAX REFUNDS
- NUMBER 22-ACCELERATED TAX SALE
- NUMBER 23 -LICENSE BOROUGH PROPERTY
- NUMBER 24- PUBLIC AGENCY COMPLIANCE OFFICIAL
- NUMBER 25-POLICY REGARDING GOVERNING BODY TRAINING
- NUMBER 26-RETIREE INSURANCE RATES
- NUMBER 27-APPOINT BMED COMMISSIONER
- NUMBER 28-FACILITY USE POLICY
- NUMBER 29-ATTENDANCE POLICY

**RESOLUTION NO. 4 RESOLUTION SETTING INTEREST AND PENALTIES UNDER R.S. 54:4-67**

WHEREAS, R.S. 54:4-67 et seq., permits the Governing Body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that the rate of interest on unpaid taxes shall be eight percent per annum on the first One Thousand Five Hundred (\$1,500.00) Dollars of delinquency and 18 percent per annum on any amount in excess of One Thousand Five Hundred (\$1,500.00) Dollars to be calculated from the date the tax was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable; and

BE IT FURTHER RESOLVED that the rate of interest on unpaid water and sewer bills shall be eight percent per annum up to One Thousand Five Hundred (\$ 1,500.00) Dollars of delinquency and 18 percent per annum on any amount in excess of One Thousand Five Hundred (\$1,500.00) Dollars to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any bill is made within thirty (30) calendar days following the billing date; and

BE IT FURTHER RESOLVED that in addition to the interest provided above, on all delinquencies in excess of Ten Thousand (\$10,000.00) Dollars and which are not paid prior to the end of the fiscal year, the Tax Collector shall also collect a penalty of six (6) percent of the amount of the delinquency in excess of Ten Thousand (\$10,000.00) Dollars.

BE IT FURTHER RESOLVED that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector.

**RESOLUTION NO. 5 PETTY CASH FUNDS:**

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Borough Clerk for the year 2015, and

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Department of Public Works for the year 2015, and

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Police Department for the year 2015, and

BE IT RESOLVED that Donna Mollineaux, Treasurer be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Senior Citizen Department for the year 2015, and

BE IT RESOLVED that Donna Mollineaux, Treasurer be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Fire Department for the year 2015, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2015.

**RESOLUTION NO. 6**

BE IT RESOLVED that the Signatories of the Borough of Oakland Payroll and Payroll Agency Accounts are the Treasurer or Borough Administrator and the Borough Clerk or the Deputy Borough Clerk.

**RESOLUTION NO. 7**

BE IT RESOLVED that TD Bank be designated as the Official Depository of this Borough for its accounts known as:

THE MUNICIPAL COURT ACCOUNT AND MUNICIPAL COURT BAIL ACCOUNT  
and

BE IT ALSO RESOLVED that the Municipal Court Judge and the Municipal Court Administrator be and they are hereby designated the custodians of said accounts, that money be drawn from said accounts only upon check of the Borough under one signature of the Municipal Court Judge or the Municipal Court Administrator.

RESOLUTION NO. 8

BE IT RESOLVED by the Mayor and Council that the Treasurer of the Borough of Oakland is hereby authorized to invest Borough Funds, from time to time during the year 2015 in authorized investments as per the approved cash management plan, or with approved depositories for Borough funds, whenever it shall appear that such funds are available for investment.

RESOLUTION NO. 9

BE IT RESOLVED that the Treasurer or the Borough Administrator, Borough Clerk or the Deputy Borough Clerk, Mayor, or Council President are hereby designated as the signatories of the following Bank Accounts of the Borough of Oakland;

CURRENT CHECKING  
WATER CHECKING  
CAPITAL CHECKING  
WATER CAPITAL CHECKING  
SEWER CHECKING  
TRUST CHECKING  
ANIMAL CONTROL CHECKING  
HEALTH BENEFITS CHECKING  
SANITARY LANDFILL CHECKING  
SEWER CAPITAL CHECKING  
FEDERAL/STATE GRANTS

RESOLUTION NO. 10 CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS:

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2015 (copy attached after Resolutions) and:

BE IT FURTHER RESOLVED that the following banks and savings loan associations be designated as the Official Depositories of this Borough for interest bearing accounts:

VALLEY NATIONAL BANK, OAKLAND, NEW JERSEY  
CHASE BANK., OAKLAND, NEW JERSEY  
BANK OF AMERICA, OAKLAND, NEW JERSEY  
HUDSON CITY SAVINGS BANK, OAKLAND, NEW JERSEY  
TD BANK, OAKLAND, NEW JERSEY  
STATE OF NEW JERSEY CASH MANAGEMENT FUND  
COLUMBIA SAVINGS, OAKLAND, NEW JERSEY  
UNION CENTER NATIONAL BANK, OAKLAND, NEW JERSEY  
and

BE IT FURTHER RESOLVED that monies be withdrawn from said accounts either upon the presentation of a withdrawal slip of the Borough under the signatures of the Mayor or President of the Council, Borough Clerk or the Deputy Borough Clerk, the Treasurer or the Borough Administrator.

RESOLUTION NO. 11

BE IT RESOLVED that the TD Bank., Oakland Office, be designated as the Official Depository of this Borough for its account known as:

LIEN REDEMPTION ACCOUNT and

BE IT FURTHER RESOLVED that Ellen Amorino, Tax Collector, is the Custodian of said account and the signatures of the Mayor, Tax Collector and Borough Clerk be filed with the Bank for the signing of checks.

BE IT FURTHER RESOLVED that the TD Bank, Oakland Office, be designated as the Official Depository of this Borough for its accounts known as:

- THE ANIMAL CONTROL ACCOUNT
- THE WATER CAPITAL ACCOUNT
- THE CAPITAL ACCOUNT
- TRUST CHECKING
- THE WATER OPERATING ACCOUNT
- THE CURRENT ACCOUNT
- THE SEWER OPERATING ACCOUNT
- LANDFILL CLOSURE ACCOUNT
- COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
- PAYROLL ACCOUNT
- PAYROLL AGENCY ACCOUNT
- STATE UNEMPLOYMENT INSURANCE ACCOUNT
- SEWER CAPITAL ACCOUNT
- FEDERAL/STATE GRANTS ACCOUNT

BE IT FURTHER RESOLVED that the treasurer be and he is hereby designated as the custodian of all the aforementioned accounts.

BE IT FURTHER RESOLVED that TD Bank, Oakland office, be designated as the Official Depositories of this Borough for the account known as

HEALTH BENEFITS CLAIMS ACCOUNT; and

The Borough Treasurer, be and he is designated the custodian of said account, and that money be withdrawn from said account only upon the check of the Borough under the two signatures of the Borough Clerk and the Treasurer, and

BE IT RESOLVED that TD Bank, Oakland Office, be designated as the Official Depository of this Borough for its account known as:

THE ANIMAL CONTROL ACCOUNT

and, that Lisa M. Duncan be and she is hereby designated custodian of said account, and that the money be withdrawn from said account to the order of the Borough of Oakland Dog Account, and the State Department of Health, upon the check of the Borough, under the signature of the Borough Clerk or the Deputy Borough Clerk.

RESOLUTION NO. 12 APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2015:

TAX SEARCH OFFICER, ELLEN AMORINO  
ASSESSMENT SEARCH OFFICER, LISA DUNCAN  
CERTIFYING AGENT FOR CIVIL SERVICE, RICHARD KUNZE  
DEPUTY CERTIFYING AGENT FOR CIVIL SERVICE, KATHY GURNEY

RESOLUTION NO. 13 CERTIFYING OFFICIAL - RAFFLES AND BINGO:

BE IT RESOLVED the Borough Clerk be and she is hereby designated verifying official for raffles and bingo, and

BE IT FURTHER RESOLVED that the Borough Clerk be given temporary authority to act as official to approve the applications for bingo and raffles if and when there is a long time lapse between Council meetings, and

BE IT FURTHER RESOLVED that prior to actual drawing, the Borough Council must approve or disapprove such temporary action at a Council meeting.

RESOLUTION NO. 14 COUNTY COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Borough of Oakland is desirous of participating in the Cooperative Purchasing Program of the County of Bergen, and

WHEREAS, the County of Bergen requires that a resolution be adopted authorizing said participation,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Purchasing Agent of the Borough of Oakland is hereby authorized to purchase materials, supplies, services and equipment in accordance with bids accepted by the County of Bergen and made available to municipalities through the Bergen County Cooperative Purchasing Program.

RESOLUTION NO. 15

BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Chief Financial Officer is hereby authorized to perform all matters necessary to enable the payment of the local school taxes, regional school taxes and county taxes by wire transfer.

BE IT FURTHER RESOLVED that the Chief Financial Officer is directed to include a report of all such wire transfers made as part of the monthly report to the governing body as directed by the Borough of Oakland Cash Management Plan.

RESOLUTION NO. 16 JOINT INSURANCE FUND COMMISSIONER.

BE IT RESOLVED that the Borough Administrator be appointed Joint Insurance Fund Commissioner for the year 2015.

RESOLUTION NO. 17 JOINT INSURANCE FUND ALTERNATE COMMISSIONER

BE IT RESOLVED that the Chief Financial Officer be appointed Joint Insurance Fund Alternate Commissioner for the year 2015.

RESOLUTION NO. 18 JOINT INSURANCE FUND SAFETY DELEGATE – CHIEF EDWARD KASPER

BE IT RESOLVED that Chief Edward Kasper be appointed as Joint Insurance Fund Safety Delegate for the year 2015.

RESOLUTION NO. 19 JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – JASON DUNCAN

BE IT RESOLVED that Jason Duncan be appointed as Joint Insurance Fund Alternate Safety Delegate for the year 2015.

RESOLUTION 20 BOROUGH OF OAKLAND PETTY CASH POLICY

WHEREAS, in order to establish a uniform method of accounting for petty cash funds, which purpose is to pay for small incidental costs not associated with the normal processes for the acquisition of materials and services.

WHEREAS, petty cash funds are not provided for the purpose of circumventing the regular acquisition processes.

WHEREAS, purchase order procedures can be utilized with most vendors when making frequent purchases.

NOW, THEREFORE, BE IT RESOLVED, that no single payment from the petty cash fund shall exceed \$60.00. Each disbursement shall be evidenced by an appropriate receipt. The petty cash fund shall be subject to approved accounting procedures and shall be closed out at the end of each fiscal year for audit.

BE IT FURTHER RESOLVED that particulars of the activity for which the petty cash funds are to be used must be identified and should accompany a purchase requisition. Expenditures for refreshments and/or paper goods for meetings should clearly indicate the date of the activity, participants and reason for activity.

RESOLUTION 21: PROCESSING OF TAX REFUNDS

WHEREAS, NJSA 40A:5-17.1 provides that a municipality may authorize the processing of tax refunds of less than Ten Dollars (\$10.00) and the cancellation of tax delinquencies of less than Ten Dollars (\$10.00).

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the Tax Collector is hereby authorized to process, without any further action on the part of the governing body, any property tax refund of less than Ten Dollars (\$10.00); and,

BE IT FURTHER RESOLVED, that the Tax Collector is hereby authorized to process, without further action on the part of the governing body, the cancellation of any tax delinquency of less than Ten Dollars (\$10.00); and,

BE IT FURTHER RESOLVED, that a Certified Copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and the Chief Financial Officer.

**RESOLUTION 22: ACCELERATED TAX SALE**

BE IT RESOLVED that the Collector of Taxes for the Borough of Oakland is hereby authorized to conduct an Accelerated Tax Sale for delinquent taxes for the calendar year 2015.

**RESOLUTION 23: LICENSE BOROUGH PROPERTY**

WHEREAS, the Borough of Oakland is the owner of certain lands and premises within the Borough of Oakland; and

WHEREAS, the Mayor and Council of the Borough of Oakland have determined that certain properties that have been acquired are not necessary for public use; and

WHEREAS, the Borough of Oakland desires to make available for license certain properties adjacent property owners; and

WHEREAS, the Mayor and Council wish to establish a policy for the licensing of such properties.

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

1. The Borough will hereby permit requests to license various properties within the Borough of Oakland currently owned by the Borough of Oakland by adjacent property owners.
2. A written request is to be made to license such property to the Borough Clerk which request will be reviewed by the Borough Administrator, Superintendent of the Department of Public Works and Borough Engineer and a report delivered to the Mayor and Council in order to appropriately evaluate the request to license the property.
3. The Mayor and Council, in its sole discretion, shall determine whether to license the property to the adjoining property owner.
4. The license shall be for a period of a calendar year and shall be in the amount of One Dollar (\$1.00).
5. The licensee shall be required to enter into a written license agreement which will require the execution of a Hold Harmless Agreement, an appropriate Certificate of Insurance, and in accordance with the Rules and Regulations for such licensed property, attached hereto.
6. The licensee shall comply with all rules and regulations as follows:
  - The maintenance of the property which will include appropriate landscaping, snow removal;
  - Maintaining the property in a clean fashion and free of all debris;
  - No permanent structures;
  - No parking of vehicles, recreational vehicles or boats;
  - No fencing shall be placed on the property;
  - No paving of the property;
  - The property owner shall be current on taxes and have no outstanding violations for property maintenance, zoning or health;
  - Any additional regulations that the Mayor and Council may impose on a case by case basis, at its discretion.

**RESOLUTION NO. 24 APPOINT PUBLIC AGENCY COMPLIANCE OFFICIAL**

WHEREAS, in accordance with N.J.A.C. 17:27-3.5-Designation of Public Agency Compliance Official (P.A.C.O.), each public agency must annually designate an officer or employee to serve as its public agency compliance officer;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoints Borough Administrator Richard S. Kunze to serve as its public agency compliance officer for the year 2015.

BE IT FURTHER RESOLVED that a certified copy of said Resolution be sent to the State of New Jersey, Department of the Treasury, Division of Contract Compliance and EEO in Public Contracts.

**RESOLUTION 25 POLICY REGARDING GOVERNING BODY TRAINING**

WHEREAS, the Mayor and Council of the Borough of Oakland are desirous of implementing a policy which will require members of the Mayor and Council to attend, if feasible, on an annual basis at least one course covering the responsibilities and obligations of elected officials;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that members of the Mayor and Council shall attend, if feasible, on an annual basis at least one course offered by the Rutgers University Center for Government Services (or a similar education provider such as the New Jersey League of Municipalities) covering the responsibilities and obligations of elected officials (for example: ethics, municipal finance, labor relations, capital planning, shared services).

**RESOLUTION 26 RETIREE INSURANCE RATES**

BE IT RESOLVED that the following monthly premiums are to be charged retirees who participate in the Borough's Health Benefits program, in accordance with the various prior and current labor agreements, effective January 1, 2015:

(See attached )

BE IT FURTHER RESOLVED that copies be forwarded to the Borough Administrator and all employee Labor Unions.

**RESOLUTION 27 APPOINT BMED COMMISSIONER**

WHEREAS, the Borough of Oakland joined the Bergen Municipal Employee Benefits Fund, a self insured health fund, as of February 1, 2012, and

WHEREAS, the Bylaws of the Bergen Municipal Employee Benefits Fund require that each Member appoint a Fund Commissioner.

NOW, THEREFORE BE IT RESOLVED, that Richard Kunze be and is hereby appointed as Fund Commissioner to the Bergen Municipal Employee Benefits Fund, effective January 1, 2015, to represent the Borough of Oakland; and

BE IT FURTHER RESOLVED that Donna Mollineaux be and is appointed as Alternate Fund Commissioner to the Bergen Municipal Employee Benefits Fund effective January 1, 2015.

RESOLUTION NUMBER 28 RECREATION FACILITY USE POLICY

WHEREAS, the Borough of Oakland, by its Mayor and Council, believes that it is important to have standards and policies with respect to the usage of the Borough's recreation facilities; and

WHEREAS, in order to balance the needs of the community and various groups, and in consideration of the sometimes limited availability of the recreation facilities, rules and regulations are necessary; it is now

THEREFORE RESOLVED that the following constitutes the Borough of Oakland recreation facility use policy.

A. Priority of Use

1. Athletic and other Recreation programs run by the Borough of Oakland. This includes in-season recreation and travel programs, summer camp and public events.
2. Other Borough departments, agencies, boards and commissions.
3. Oakland Board of Education and Ramapo Indian Hills Regional High School District.
4. Other educational institutions located within the Borough.
5. Oakland based non-profit athletic organizations where a majority of participants are Oakland residents.
6. Other Oakland based non-profit organizations serving the Oakland community.
7. Oakland based business.
8. Non-profit organizations of any type, whether educational, athletic, charitable or service, that do not serve the Oakland community and/or where the majority of participants are not from Oakland.
9. Businesses located outside of Oakland.

B. Factors to be used to resolve requests between Like Entities.

In the event two or more groups at the same priority level request the use of the facility at the same time, a decision shall be made based on the following:

For items 3, 4, 5, 6 and 8 under Letter A above: priority shall be given to those groups that have used the facilities for the greatest number of prior years and have a history of good behavior.

For items 7 and 9 under Letter A above: priority shall first be given to those businesses that offer athletics or recreation services to the public. Secondary priority shall be based on the amount of revenue that will be generated for the Borough.

C. Conflict.

1. In the event of a debate or conflict between entities in the interpretation of the above, the in-season Commissioner will submit his/her recommendation to the borough Administrator and a final decision will subsequently be rendered.
2. In the event of special cases or circumstances (such as decisions on “last minute” completed applications with no time to go through the process described in #1 above), the in-season Commissioner will use his/her best discretion for field use, and have the support of the Administration and Governing Body.
3. Decisions to rest or place fields or other facilities out of service in an effort to maintain their safety and integrity shall be made by the Department of Public Works and adhered to by all parties.

#### RESOLUTION NUMBER 29 ATTENDANCE POLICY

WHEREAS, the Governor has established a checklist for municipalities with respect to eligibility for State aid; and

WHEREAS, as part of that checklist, an attendance policy is required for the Governing Body and boards and commissions established in the municipality; and

WHEREAS, various statutes governing municipalities and boards and commissions specify attendance requirements that if not adhered to requires that certain offices be deemed vacant; and

WHEREAS, N.J.S.A. 40A:16-3 establishes the requirements for the Mayor or a member of the Governing Body and N.J.S.A. 40A:9-12.1 governs person appointed to any board, committee, commission, authority or other agency; and

WHEREAS, the Mayor and Council of the Borough of Oakland have determined that an attendance policy should be established consistent with the statutory requirements of N.J.S.A.40A:16-3 and 40A:9-12.1; and

WHEREAS, the Mayor and Council of the Borough of Oakland recognize that most, if not all, of the positions established within the Borough are without compensation and recognize the value of this volunteer service.

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

- Consistent with the provisions of N.J.S.A. 40A:16-3 and 40A:9-12.1, the office of the Mayor or the member of Council or any person appointed to any board, committee, commission, authority or other agency shall be deemed vacant if such individual fails to attend and participate at meetings of such body for a period of eight (8) consecutive weeks or for four (4) consecutive regular meetings, whichever shall be of longer duration without being excused by a majority of the authorized members of such body.
- The Mayor and Council and all boards, committees, commissions, authorities and agencies shall consider, but not be limited to the following in order to determine an excused absence:

Illness  
Vacation  
Business obligations

The Mayor and Council and members of any board, committee, commission, authority or other agency shall notify, as soon as practical, the board secretary or clerk for such board, committee, commission, authority or agency of such absence and the Council, board, committee, commission, authority or agency shall act on such requested absence.

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to all members of all Borough boards, committees, commissions, authorities or agencies.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-30 APPROVE TEMPORARY BUDGET**

On motion of Councilman Jensen, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, N.J.S.A. 40A:4-19 provides that where any contracts, commitments or payments are to be made prior to the adoption of the budget, temporary appropriations should be made for the purposes and in the amount required, and in the manner and time therein specified; and

WHEREAS, the date of this resolution is within the first thirty days of calendar year 2014; and

WHEREAS, the total of the following 2015 temporary appropriations do not exceed 26.25% of the total appropriations in the 2014 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance.

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2015 appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records.

Current Fund

	Salaries & Wages	Other Expenses
Administration	\$ 57,200	\$ 1,950
Communication Committee		\$ 3,900
General Services	\$ 23,660	\$ 16,380
Mayor & Council	\$ 12,181	\$ 7,800
Municipal Clerk	\$ 20,033	\$ 5,408
Elections	\$ 559	\$ 3,250
Finance	\$ 46,189	\$ 13,728
Audit		\$ 9,620
Information & Technology		\$ 15,600
Tax Collection	\$ 23,868	\$ 2,210
Tax Assessment	\$ 31,681	\$ 4,186
Legal Services		\$ 53,300

Engineering		\$ 18,200
Planning Board	\$ 8,086	\$ 4,511
Board of Adjustment	\$ 4,186	\$ 2,028
Uniform Construction Code	\$ 63,830	\$ 1,820
Insurance		\$120,250
Health Benefits		\$521,300
Police Dept.	\$ 1,093,950	\$ 40,456
<u>Current Fund</u>		
	Salaries & Wages	Other Expenses
911 System		\$ 3,250
Emergency Management	\$ 2,041	\$ 2,730
Flood Control	\$ 1,163.50	\$ 390
Contribution to First Aid Squad		\$ 7,800
Fire Dept.	\$ 19,948.50	\$ 27,066
LOSAP		\$ 22,620
Prosecutor		\$ 5,980
Streets & Roads	\$122,785	\$ 31,850
Shade Tree		\$ 5,200
Stormwater Management	\$ 11,544	\$ 8,060
Garbage & Trash Removal	\$ 19,487	\$275,600
Snow Removal	\$ 15,600	\$ 21,190
Buildings & Grounds	\$ 54,925	\$ 35,100
Vehicle Maintenance	\$ 17,121	\$ 21,450
Board of Health	\$ 16,770	\$ 37,440
Environmental Comm.	\$ 312	\$ 260
Recreation	\$ 46,800	\$ 77,313.60
Senior Citizens	\$ 16,601	\$ 8,710
Public Library	\$112,309.08	\$ 97,822.92
Accumulated Leave Compensation	\$15,600	
Electricity		\$ 29,900
Street Lighting		\$ 39,000
Telephone		\$ 26,000
Natural Gas		\$ 6,500
Gasoline		\$ 45,500
Contingent		\$ 1,300
PERS Pension		\$ 90,338.30
PFRS Pension		\$ 86,227.86
Social Security		\$122,720
Defined Contribution Plan		\$ 1,040
Cash Match for Grants		\$ 650
NJ Motor Vehicle Services	\$ 22,360	
Recycling Tonnage Grant		\$ 7,115.81
Drunk Driving Enforcement Fund		\$ 2,564.32
Municipal Alliance – Local		\$ 641.94
Alcohol Education Rehab Grant		\$ 370.48
Clean Communities Program		\$ 6,340.36
EMMA Grant		\$ 1,300
Municipal Court	\$ 30,342	\$ 2,262
Public Defender		\$ 2,600
Capital Improvement Fund		\$ 52,000
Capital Improvement Fund – Down Payment		\$ 52,000

Bond Principal		\$218,140
Note Principal		\$ 87,715.42
Bond interest		\$ 20,517.12
Note Interest		\$ 20,580.91
Special Emergency – Re-Assessment		\$ 5,616
Special Emergency – WMP		\$ 2,600
Deferred Charges – Unfunded		\$104,000
Reserve for Tax Appeals		\$ 13,000
Reserve for Uncollected Taxes		\$ 48,100
Total	\$1,911,132.08	\$2,737,370.04
Current Fund Total		\$4,648,502.12

Water Utility

	Salaries & Wages	Other Expenses
Water Operations	\$ 151,749	\$ 63,700
Utilities		\$ 66,950
Insurance		\$ 40,560
Capital		\$ 17,214.60
Debt Payments		\$133,900.26
PERS		\$ 13,426.14
Social Security		\$ 11,440
Total	\$ 151,749	\$347,191
Water Fund Total		\$498,940

Sewer Utility

	Salaries & Wages	Other Expenses
Sewer Operations	\$ 27,586	\$ 35,880
Utilities		\$ 8,476
Insurance		\$ 8,450
Capital		\$ 5,261.10
Debt Payments		\$ 11,154
PERS		\$ 2,564.90
Social Security		\$ 2,106
Total	\$ 27,586	\$ 58,050
Sewer Fund Total		\$ 101,478

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-31 STAFF APPOINTMENTS**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

BE IT RESOLVED that, in accordance with the applicable State Statutes, the following staff appointments be made for the year 2015:

Kathlyn Gurney

Deputy Borough Clerk

Patricia Burns	Deputy Tax Collector
Donna Mollineaux	Treasurer (effective January 19, 2015)

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-32 POLICE DEPARTMENT APPOINTMENTS**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

BE IT RESOLVED that, upon recommendation of Police Chief Kasper, the following appointments be made for the Police Department for 2015:

**CROSSING GUARDS**

Edward Ackerly	Debra DeYoung	Cosimo Pelle
Klaus Angermueller	Marilyn Dockery	Richard Pierce
Kenneth Axtell	John Gray	Ronald Santaniello
William Bickford	Mindy Greenfield	Kelly Smith
John Carr	Karen Grygus (sub)	Philip DeBiasi (sub)
Maryann Carroll (sub)	Debra Hill	Robert Lynn (sub)
Brenda DeBouter	Debra Patterson	Therese Vollmin (sub)

**POLICE MATRON**

Lynn Ver Hage	Dawn Gosson
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ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-33 AUTHORIZE IDA FOR VISION BENEFITS ADMINISTRATION AND RETIREEE REIMBURSEMENT**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has established, sponsors and funds a self-insured employee welfare benefit plan within the meaning of the Employee Retirement Income Security Act of 1974 (ERISA) and as amended (the "Plan"); and

WHEREAS, this plan is for the purpose of providing certain vision care coverage to eligible employees and retirees as well as a reimbursement program for certain retirees to match the medical coverage they are entitled to under their respective collective bargaining agreement; and

WHEREAS, benefits payable under the Plan constitute liabilities of the Borough of Oakland; and

WHEREAS, the Borough of Oakland is the designated Plan Administrator, as such term is used within the Employee Retirement Income Security Act of 1974 (29 USC 1002(16) (B)), and as amended; and

WHEREAS, the Borough of Oakland, as the designated Plan Administrator of the Plan, desires to contract with an independent third party to perform certain claims administration services with respect to the Plan, as set forth within this Agreement; and

WHEREAS, Insurance Design Administrators is in the business of providing third-party claims administration services to sponsors and administrators of self-insured health benefit plans.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby awards a contract to Insurance Design Administrators for the administration of the self-insured vision program at a rate of \$ 4.50 per employee per month not to exceed \$5,000.00 and for the retiree reimbursement program at a cost not to exceed \$ 4,500.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Account #5-01-23-220-003 \$ 5,000.00 and Account # 5-01-23-220-001 \$ 4,500.00;

BE IT FURTHER RESOLVED that the contract award for these services is directly to a company providing insurance services within the meaning of the Borough's 'pay to play' ordinance 12-CODE-669, duly authorized pursuant to NJSA 40A:11-51, and that IDA has complied with the requirements of said ordinance and may be awarded this contract; and

BE IT FURTHER RESOLVED that Borough Administrator Richard Kunze is hereby authorized to sign the Agreement on behalf of the Borough of Oakland.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-34 AUTHORIZE BOSWELL FOR 2015 ROAD PROGRAM**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland wishes to proceed with the 2015 Road Program; and

WHEREAS, the Borough of Oakland is in need of engineering services for the design and construction inspection phases of the project; and

WHEREAS, Boswell McClave Engineering has submitted a proposal dated December 18, 2014 and the fee for the design and construction phases is not to exceed \$57,000; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-691-301; and

WHEREAS, Boswell McClave 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 Council hereby authorize Boswell McClave to perform the design and construction inspection for the 2015 Road Program at a cost not to exceed \$57,000; and

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-36 AUTHORIZE BOSWELL –WALNUT STREET BOOSTER PUMP STATION UPGRADE**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need for Construction Engineering and Inspection Services for the Walnut Street Booster Pumping Station Upgrade Project; and

WHEREAS, Boswell McClave Engineering submitted a proposal dated December 5, 2014, for the services required at a cost not to exceed \$18,000; and

WHEREAS, Boswell McClave has submitted all the paperwork necessary to comply with the Borough of Oakland's Pay-to-Play requirements; 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 #C-06-56-637-001;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize Boswell McClave to perform the Construction Engineering and Inspection Services for the Walnut Street Booster Pumping Station Upgrade Project; and

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-37 AUTHORIZE AGREEMENT-LAND CONSERVANCY**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need for Advisory Services and the preparation of grant applications pertaining to open space within the Borough of Oakland; and

WHEREAS, The Land Conservancy of New Jersey has submitted a proposal which includes a form of agreement dated December 9, 2014 for Advisory Services including the preparation of grant applications with respect to open space for an amount not to exceed the sum of \$12,000.00; and

WHEREAS, the Chief Financial Officer of the Borough of Oakland has certified that funds are available from Account No. 5-01-55-999-021 for such purposes; and

WHEREAS, this contract is for professional services for which no public bidding is required.

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

1. The Land Conservancy of New Jersey is authorized to perform Advisory Services and the preparation of grant applications with respect to open space within the Borough of Oakland as outlined in their proposal dated December 9, 2014.
2. The Mayor and Borough Clerk are hereby authorized to execute a contract with The Land Conservancy of New Jersey in the form annexed to this resolution.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

#### RESOLUTION 15-38 AUTHORIZE 2015 TAX MAP SERVICES

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough must update its tax maps annually; and

WHEREAS, the Tax Assessor and Borough Administrator have recommended that Civil Solutions be retained to provide tax map updates, in accordance with their proposal; and

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Civil Solutions to provide 2015 Tax Map Maintenance services for the Borough; and

WHEREAS, Civil Solutions will provide the services at a cost not to exceed \$ 5,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # 5-01-20-150-104; and

WHEREAS, the aforesaid award of contract is an exemption to the public bidding laws and one for professional services, for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Civil Solutions to provide Tax Map Maintenance Services for an amount not to exceed \$ 5,000.00.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

#### RESOLUTION 15-39 AUTHORIZE 2015 ADDED ASSESSMENT WORK

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, it is necessary for the Borough to obtain the services of a Certified Tax Assessor or Appraiser in order to perform added assessment investigations; and

WHEREAS, the yearly added assessment investigations have been performed by outside professionals, and is not within the contractual arrangement between the Borough and its Assessor; and

WHEREAS, the Assessor has obtained three quotations for the added assessment work, which includes, but is not limited to, site inspections, recommended valuations and determinations of the added assessment amount and updating the Borough's computerized records; and

WHEREAS, the funding for the added assessment work is within the Assessor's budget; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #5-01-20-150-029; and

WHEREAS, Brian Townsend, a Certified Tax Assessor, has submitted the lowest quotation for conducting the added assessment work;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the Borough does hereby retain the services of Brian Townsend to conduct the Borough's added assessment work for the tax year 2015; and

BE IT FURTHER RESOLVED, that Mr. Townsend shall be paid the sum of \$ 50.00 per hour, the total fee not to exceed \$ 7,000;

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute an appropriate contract; and

BE IT FURTHER RESOLVED that the Borough Clerk is directed to maintain copies of the three quotations and the contract with Mr. Townsend, for public inspection.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-40 AUTHORIZE 2015 TAX APPEAL ASSISTANCE**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough wishes to appoint an expert for 2015 Tax Appeal Assistance; and

WHEREAS, the Tax Assessor and Borough Administrator have recommended that Value Research Group, LLC be retained to provide Tax Appeal Assistance, in accordance with their proposal; and

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Value Research Group, LLC to provide 2015 Tax Appeal Assistance services for the Borough; and

WHEREAS, Value Research Group, LLC will provide the services at a cost not to exceed \$ 20,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #5-01-55-904-001; and

WHEREAS, the aforesaid award of contract is an exemption to the public bidding laws and one for professional services, for which no public bidding is required;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Oakland hereby awards and authorizes the Mayor and Borough Clerk to execute an agreement with Value Research Group, LLC to provide Tax Appeal Assistance services for an amount not to exceed \$ 20,000.00.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-42 AUTHORIZE S & L ARCHITECTURE STUDIO LLC FOR SENIOR CENTER RESTROOM RENOVATIONS**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need for architecture services for the Senior Center Restroom Renovation Project; and

WHEREAS, S & L Architecture Studio, LLC submitted a proposal dated July 2014, for the design construction documents and construction administration services at a cost not to exceed as follows:

- Phase I Schematic Design - \$2,000
- Phase II Construction Documents - \$3,000
- Phase III Construction Administration - \$2,000

WHEREAS, S & L Architecture Studio, LLC has submitted all the paperwork necessary to comply with the Borough of Oakland's Pay-to-Play requirements; 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 #C-04-56-691-413;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize S & L Architecture Studio, LLC to perform the architectural services for the Senior Center Restroom Renovation Project at a total cost not to exceed \$7,000; and

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

RESOLUTION 15-43 AUTHORIZE CONTRACT CONTINUING DISCLOSURE REVIEW

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, SEC Rule 15c:2-12 requires municipalities to file financial and statistical information as well as notices of “material events” affecting the Borough; and

WHEREAS, Phoenix Advisors LLC has submitted a proposal to provide services as a Continuing Disclosures Agent in the amount of \$ 650; and

WHEREAS, Phoenix Advisors LLC has submitted all necessary paperwork to comply with the Borough’s Pay-to-Play requirements; and

WHEREAS, this contract is for a professional service which does not require public bidding; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #5-01-20-130-028

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Phoenix Advisors LLC in an amount not to exceed \$ 650 for services as Continuing Disclosures Agent for the Borough of Oakland; and

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

RESOLUTION 15-44 AUTHORIZE TAX APPEAL SETTLEMENT-BLOCK 3601, LOT 34

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, Oakland Management, LP, owner of property known as Block 3601, Lot 34, located at 153 Bauer Drive, appealed the 2012, 2013 and 2014 real property tax assessments imposed by the Borough; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled Oakland Management, LP vs. the Borough of Oakland, wherein for tax year 2012, the taxpayer will withdraw the complaint, and the assessment of \$3,721,000 will remain intact; for tax year 2013, the assessment will be reduced from \$3,721,000 to \$3,500,000; and for tax year 2014, the assessment will be reduced from \$3,721,000 to \$3,500,000, resulting in a total refund, for all years, of \$11,441; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon waiver of payment of interest on any refund, as long as payment is made within 60 days of the issuance of a Tax Court Judgment, or March 15, 2015, whichever is later.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

#### RESOLUTION 15-46 ADOPT SURPLUS POLICY

On motion of Councilman Jensen, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Mayor and Council of the Borough of Oakland desires to set a policy for the unreserved, undesignated fund balance; and

WHEREAS, after careful consideration the Mayor and Council has determined that the fund balance on January 1 of any given year should be between 10 percent and 15 percent of the previous year's operating budget net of non-cap operations, grants, capital, debt service, deferred charges and the reserve for uncollected taxes; and

WHEREAS, the Borough of Oakland desires to establish an appropriate strategy if the fund balance drops below the 10 percent minimum or exceeds the 15 percent maximum.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the policy for the reserved, undesignated fund balance ("Fund Balance") shall be as follows:

1. The fund balance on January 1 of any given year should be between 10 percent and 15 percent of the previous year's operating budget net of non-cap operations, grants, capital, debt service, deferred charges and the reserve for uncollected taxes;
2. If the fund balance drops below the 10 percent minimum, the Governing Body shall take such action, aided by an economic plan developed by the Chief Financial Officer and Borough Administrator to restore the fund to the acceptable level within two (2) years.
3. The Chief Financial Officer and Borough Administrator shall devise an economic plan to be submitted to the Finance Committee from a mixture of the following elements designed to restore the fund balance:
  - a. Decrease the amount of surplus anticipated in the current and/or succeeding year's budget;
  - b. Increase the amount appropriated for the reserve for uncollected taxes;
  - c. Reduce the amount of appropriation reserves for salaries and wages transferred at year-end to the Accumulated Absence Trust, provided the Trust is at least 50 percent funded;
  - d. Reduce certain items of Miscellaneous Revenue in the current and/or succeeding year's budget;

- e. Any other step designed to result in a replenishment of surplus regenerated.
4. If the fund balance exceeds the 15 percent maximum of the previous year's operating budget, the portion over the ceiling limit shall be added to the amount of surplus anticipated in the current fund budget and specifically ear-marked to reduce short-term debt over the amount that would have been appropriated and/or to increase the expenditure for the Capital Improvement Fund over the amount that would have otherwise been appropriated and /or to increase expenditures to various trust and reserve accounts to ensure they are adequately funded.
5. After the Annual Financial Statement has been filed, the Chief Financial Officer shall report to the Borough Administrator and Finance Committee on the status of the fund balance as it relates to this policy, which report shall be considered during budget deliberations.

BE IT FURTHER RESOLVED that it shall be the policy of the Borough of Oakland to maintain an adequate fund balance at all times, which fund is necessary to provide the cash required to meet the Borough's obligations and operations during those periods between tax collection cycles.

BE IT FURTHER RESOLVED it shall be the policy of the Borough of Oakland to maintain a constant adequate balance of surplus for the purposes set forth herein and no amount of the proceeds which exceed the amount regenerated from the previous year shall be specifically designated.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**INTRODUCTION: ORDINANCE NO. 15-CODE-712**

The Clerk was directed to take from table Ordinance No.15-Code-712 and read by title for its first reading.

The Clerk then read by title Ordinance No.15-Code-712 entitled: " AN ORDINANCE AMENDING SECTION 2-5 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND ENTITLED "POLICE DEPARTMENT"

On motion of Councilman Jensen, seconded by Councilman Pignatelli, the following resolution be introduced, adopted and duly passed on roll call vote.

BE IT RESOLVED that an Ordinance entitled, AN ORDINANCE AMENDING SECTION 2-5 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND ENTITLED "POLICE DEPARTMENT", be introduced;

That said Ordinance be considered for final adoption at a meeting on January 28, 2015 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before January 19, 2015 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

#### NEW BUSINESS:

Councilman Pignatelli advised he attended the Community of Commerce meeting and they asked for a Council liaison. Councilman Pignatelli volunteered to be the liaison.

#### COUNCIL REPORTS:

Councilman Talamini: He will reach out to Public Events members about filling out Citizen Leadership forms. The Oakland Education Foundation will hold their 6<sup>th</sup> annual gala on March 21, 2015 at Preakness Hills Country Club. The new pickup procedures at Valley Middle School are running smoothly. Dr. Coffaro wanted to thank the Police Chief.

Councilman Kulmala: He advised that OEM is working on their next drill. The Communications Commission will hold their meeting on January 21, 2015 at Borough Hall at 7 pm.

Councilman Visconti: The Flood Commission meeting was canceled on Monday. The DEP is doing a walk-thru and evaluation for the CRS program. The next meeting will be held February 9<sup>th</sup> at 7:30 pm. The Park Committee met last night. The Great Oak tree was cleaned up by Save a Tree. That was coordinated by Peter Kikot. There are photos on the website for the new park. In the spring, there will be fundraising events, Scout projects. The next meeting of the Park Committee will be February 10<sup>th</sup> at 8 pm at the Danny E'lia Building.

#### APPOINTMENTS TO PARK COMMITTEE:

Mayor Schwager brought forth the names of Michael Guadagnino, Lee Haymon, Nancy Larkin, Mark Ostapczuk and Steve Saliani for appointment to the Park Committee.

#### MOTION TO CONSENT:

On motion of Councilman Visconti, seconded by Councilman Pignatelli, the Council consented to the appointments of Michael Guadagnino, Lee Haymon, Nancy Larkin, Mark Ostapczuk and Steve Saliani for one-year appointment to the Park Committee.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

Councilman Pignatelli: He attended the Community of Commerce meeting last night. They are a group of local business men and women and there are 62 members. Last year they sponsored the car show in town which was well received. He explained that our local businesses support our sports teams so we should support our local businesses. They will hold another car show this year and will participate in the carnival. They will sponsor Oakland's best pizza and restaurant week in the fall. Their next meeting is February 3<sup>rd</sup> at 9:30 am at the Library. Councilman Pignatelli reminded residents to shovel their sidewalks and fire hydrants because there is a fine for non-compliance. He read in the newspaper about a meeting held for Mayors and Fire Chiefs regarding trains carrying Brakken oil. He explained that Fire Departments are concerned about train derailments.

Councilman Jensen: The Planning Board met last Thursday. The Board of Adjustment met last night. Regarding Finance Committee, the Borough held a note sale in December. The notes will mature on May 26<sup>th</sup>. The winning bidder was TD Securities with a net bid of .2199%.

Councilwoman Coira: The Recreation baseball and softball signups will be held on January 20, 27 and 31<sup>st</sup>. Everything is set for construction of the walking path. Construction will be completed by May 1<sup>st</sup>. The first meeting of the Recreation Commission will be held on January 26<sup>th</sup> at 8 pm at the Danny D'Elia Building. The Shade Tree Commission met last Monday and they are looking to do spring planting.

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Jensen, seconded by Councilwoman Coira, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, this portion of the meeting be closed to public discussion.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**BILLS TO BE PAID:**

On motion of Councilman Jensen, seconded by Councilman Pignatelli, the following bills be submitted for payment:

(see following pages)

BE IT RESOLVED that the foregoing bills be paid and charged to their respective accounts when the funds are available.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

**MEETING ADJOURNED:**

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the meeting be adjourned at 8:25 pm.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti.

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Lisa M. Duncan, Borough Clerk  
February 11, 2015

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Mayor Linda H. Schwager

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Date Approved