

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD VIA ZOOM VIDEO CONFERENCE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 13, 2021

MEETING CALLED TO ORDER:

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck. 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, submitted to the newspaper and advertised more than 48 hours in advance of the meeting and notice posted in the Municipal Building and on the Borough website.

MAYOR'S REPORT:

Mayor Schwager advised that she received an email from the sewer representatives who said they will no longer meet with Borough officials. Mayor Schwager advised there are many openings on Boards and Commissions. She attended an outdoor ribbon cutting at the Oakland Care Center. They are partners with Meals on Wheels to help those in need in Oakland and Franklin Lakes. They are in need of drivers. The Senior Center is closed due to a positive Covid case. If any Senior Citizen is in need of help, let the Borough know. It is important to register for vaccinations on the State and County website to hold your spot. There is information on the Borough website. They are looking for retired healthcare workers with vaccination skills. The County will continue testing through January at Bergen Community College and registration is required. The number of positive Covid cases continues to spike in Oakland. There has been over 600 cases since March. Mayor Schwager asked residents not to be complacent and to wear a mask and practice social distancing. All updates on the virus are posted on the Borough website and Facebook page.

OPENED FOR PUBLIC COMMENT:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, this portion of the meeting be opened for public comment.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

Chris Giordano, read the email sent to the Mayor which stated the reasons the representatives chose not to meet with the Borough representatives.

Jay DeMauro, 35 Massassoit Trail, thanked the Mayor and representatives for meeting with the sewer representatives but the sewer representatives oppose that the first payment of the fines was paid out of surplus for the sewer utility. They were told that cannot be reimbursed.

Katrine Beck, 8 Chapel Hill, stated that there are open questions that have not been answered by the Borough. It would be helpful to have updates on the project from Councilman Biale as Chair of the Water & Sewer committee. There needs to be transparency to engage in conversation.

Benjamin Wagman, 10 Mt. Lakes Rd, spoke with respect to the fines that were incurred. The Mayor and Council agree that the sewer users should not have to be burdened with the fines. However, at the second meeting, we were told that \$ 100,000 had already been paid and that the future fines must be determined by future Councils. He spoke of deception.

Rachel Gregory, 2 Kiowa Terrace, found it disrespectful that the Mayor left the last meeting early and stated it was not appropriate.

Charles Boyle, 43 Massassoit Trail, agreed with Mr. Giordano and Mr. Wagman. He is disappointed there is no resolve on the issues with the fine. He thinks it is impossible that this money cannot be credited back. The sewer grates are from the 1960's and he spoke of 50 years of mismanagement. The payment for the new system has to be jointly paid by all residents. The town is not looking at that at all.

Jennifer Inglett, 1 Chapel Hill Road, asked if there is money in surplus to cover the balance of the fines. She asked if it is an interest bearing account and what it is used for.

Sarah Michel, 23 Cayuga Ave, echoed Mr. Wagman's statements. The sewer representatives were told the fines would be taken care of 100%. At the December 22nd meeting, they learned that \$100,000 was already paid by the sewer budget in 2019. They were promised that \$421,000 would be taken care of by the Borough.

Vic Taffro, 12 Mt. Lakes Rd, thinks it is ridiculous that the sewer users cannot get reasonable answers. Since none of the Mayor and Council live in the sewer areas, it is being pushed off. This should be readdressed.

CLOSED FOR PUBLIC COMMENT:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, this portion of the meeting be closed to public comment.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

APPROVAL OF MINUTES: DECEMBER 21, 2020

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of December 21, 2020 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini.
Abstain, Councilman Van Eck.

APPROVAL OF MINUTES: DECEMBER 21, 2020 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council Executive Session of December 21, 2020 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini.
Abstain, Councilman Van Eck.

COUNCIL COMMITTEE AND LIAISON APPOINTMENTS:

Council President Kulmala made the following Council Committee and Liaison assignments:

Finance	Chairperson	Russell Talamini
	Member	Grant Van Eck
Public Safety	Chairperson	Pat Pignatelli
Police-Fire-First Aid-Court	Member	Eric Kulmala
D.P.W.	Chairperson	Grant Van Eck
Roads-Solid Waste-Recycling-		
Buildings & Grounds	Member	John Biale
Water & Sewer	Chairperson	John Biale
	Member	
Inter Gov't Relations/Administration	Chairperson	Bob Knapp
	Member	Russell Talamini
Land Use Planning & Board of Adjustment	Chairperson	Eric Kulmala

Council Liaisons

Public Events & Community Relations	Russell Talamini
Environmental Commission	Pat Pignatelli
Local and Regional Schools	Russell Talamini
Senior Citizens Liaison	Pat Pignatelli
Board of Health	Pat Pignatelli
Emergency Management	Eric Kulmala
Flood Commission	Bob Knapp
Recreation Commission	Grant Van Eck
Municipal Alliance	Bob Knapp
Communications Commission	Grant Van Eck
Shade Tree Commission	Grant Van Eck
Downtown Improvement	
Library	Eric Kulmala
Historical Preservation	John Biale
Green Team	Bob Knapp
Park Committee	Eric Kulmala

APPOINTMENTS OF PROFESSIONALS:

BOROUGH ATTORNEY:

Mayor Schwager brought forth the nomination of Brian Chewcaskie from Cleary Giacobbe Alfieri Jacobs, LLC for appointment as Borough Attorney.

Motion:

On motion of Councilman Knapp, seconded by Councilman Pignatelli, the Council consented to the appointment of Brian Chewcaskie as Borough Attorney.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Pignatelli, Talamini.
Nay, Councilman Van Eck. Abstain, Councilman Kulmala.

BOROUGH ENGINEER:

Mayor Schwager explained that three firms submitted RFQ's for Borough Engineer. One has to be appointed tonight as Borough Engineer but the Borough will use all three firms to obtain quotes. Mr. Chewcaskie explained that the three engineering firms will be qualified to perform services and to submit proposals. The Borough is required to appoint a Borough Engineer but is not required to award all contracts to the Borough Engineer. Councilman Kulmala questioned what brought on the change. Mr. Chewcaskie stated it is standard these days to qualify more than one firm. Mr. Kunze stated it helps facilitate quotes rather than issuing RFP's.

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

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the appointment of Kevin Boswell as Borough Engineer.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini,
Van Eck.

BOROUGH AUDITOR:

Mayor Schwager brought forth the nomination of Gary Vinci from Lerch Vinci & Higgins as Borough Auditor.

Motion:

On motion of Councilman Knapp, seconded by Councilman Kulmala, the Council consented to the nomination of Gary Vinci of Lerch, Vinci & Higgins as Borough Auditor.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini,
Van Eck.

BOND COUNSEL:

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

Motion:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Rogut McCarthy as Bond Counsel.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini,
Van Eck.

RISK MANAGER-HEALTH BENEFITS:

Mayor Schwager brought forth the nomination of Voza Agency as Risk Manager for Health Benefits.

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the appointment of Voza Agency as Risk Manager for Health Benefits.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini,
Van Eck.

RISK MANAGER-PROPERTY & CASUALTY:

Mayor Schwager brought forth the nomination of Brown & Brown as Risk Manager for Property & Casualty.

Motion:

On motion of Councilman Biale, seconded by Councilman Talamini, the Council consented to the appointment of Brown & Brown as Risk Manager for Property & Casualty.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

BOROUGH PLANNER:

Mayor Schwager brought forth the nomination of Burgis Associates as Borough Planner.

Motion:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointment of Burgis Associates as Borough Planner.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

WATER & SEWER ENGINEER:

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

Motion:

On motion of Councilman Biale, seconded by Councilman Talamini, the Council consented to the appointment of Kevin Boswell as Water & Sewer Engineer.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

LABOR ATTORNEY:

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

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the appointment of Matthew Giacobbe as Labor Attorney.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

BOROUGH PROSECUTOR:

Mayor Schwager brought forth the nomination of Andrew Cimiluca as Borough Prosecutor.

Motion:

On motion of Councilman Biale, seconded by Councilman Talamini, the Council consented to the appointment of Andrew Cimiluca as Borough Prosecutor.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

ALTERNATE PROSECUTOR:

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

Motion:

On motion of Councilman Knapp, seconded by Councilman Talamini, the Council consented to the appointment of Andrew Roth as Alternate Prosecutor.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

PUBLIC DEFENDER:

Mayor Schwager brought forth the nomination of Dianne D'Allessandro as Public Defender.

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, the Council consented to the appointment of Dianne D'Allessandro as Public Defender.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

ALTERNATE PUBLIC DEFENDER:

Mayor Schwager advised there were no submissions for Alternate Public Defender. She will reach out to some defense attorneys to see if there is interest.

APPOINTMENTS TO BOARDS, COMMISSIONS, COMMITTEES:

PLANNING BOARD:

Mayor Schwager appointed Lee Haymon to a one-year term as Class II official. Mayor Schwager reappointed Michael Rose to a four-year term to expire December 31, 2024. Mayor Schwager reappointed Gregory Liss as Alternate 1 for a two-year term to expire December 31, 2022.

BOARD OF ADJUSTMENT:

Mayor Schwager brought forth the nomination of Ed Ackerly for reappointment to a four-year term on the Board of Adjustment and Sherry Campanelli for reappointment as Alternate 1 for a two-year term.

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Talamini the Council consented To the appointment of Ed Ackerly for a four-year term to expire December 31, 2024 and Sherry Campanelli for reappointment as Alternate 1 for a two-year term to expire December 31, 2022.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

BOARD OF HEALTH:

Mayor Schwager brought forth the nomination of Stephen Tiffinger, JoAnn Ashkenazi and Yuval Ashkenazi for reappointment to three-year terms on the Board of Health.

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Talamini, the Council consented to the appointment of Stephen Tiffinger, JoAnn Ashkenazi and Yuval Ashkenazi for three-year terms on the Board of Health to expire December 31, 2023.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RECREATION COMMISSION:

Mayor Schwager reappointed Sandra Coira to a five-year term on the Recreation Commission to expire December 31, 2025. Mayor Schwager moved Dan Logatto to the unexpired term left by the resignation of Vivian King. The term will expire December 31, 2023.

COMMUNICATIONS COMMISSION:

Mayor Schwager brought forth the nomination of Ryan Schwertfeger and Alex McVeigh for reappointment to three-year terms on the Communications Commission. Mayor Schwager nominated Salma Shamy for reappointment as Alternate 2 for a three-year term and Benjamin Good as Junior commissioner for a one-year term.

Motion:

On motion of Councilman Knapp, seconded by Councilman Talamini, the Council consented to the appointments of Ryan Schwertfeger, Alex McVeigh and Salma Shamy for three-year terms to expire December 31, 2023 and Benjamin Good for a one-year term to expire December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

LIBRARY BOARD:

Mayor Schwager reappointed Marilyn Cioffi to a five-year term on the Library Board to expire December 31, 2025. Mayor Schwager reappointed Anne Sorrentino-Russo as Mayor's Alternate for a one-year term to expire December 31, 2021.

FLOOD COMMISSION:

Mayor Schwager brought forth the nominations of Ray Carroll and Michael Pritchard for reappointment to the Flood Commission for three-year terms.

Motion:

On motion of Councilman Biale, seconded by Councilman Van Eck, the Council consented to the appointments of Ray Carroll and Michael Pritchard for three-year terms on the Flood Commission to expire December 31, 2023.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

ENVIRONMENTAL COMMISSION:

Mayor Schwager brought forth the nomination of Lee Haymon for reappointment to the Environmental Commission to a three-year term on the Environmental Commission.

Motion:

On motion of Councilman Knapp, seconded by Councilman Kulmala, the Council consented to the appointment of Lee Haymon to a three-year term to expire on December 31, 2023.

Mayor Schwager brought forth the nomination of Austin Wall and Jerri Angermueller for appointment to three-year terms on the Environmental Commission.

Motion:

On motion of Councilman Pignatelli, seconded by Councilman Van Eck, the Council consented to the appointment of Austin Wall and Jerri Angermueller to three-year terms to expire December 31, 2023.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

SHADE TREE COMMISSION:

Mayor Schwager reappointed Anthony Smid and Joseph LaTerra to five-year terms on the Shade Tree Commission to expire December 31, 2025. Mayor Schwager moved Ray Carroll from Alternate to fill an unexpired term to expire on December 31, 2022.

PUBLIC EVENTS COMMITTEE:

Mayor Schwager brought forth the nomination of Andrea Levy for reappointment to a three-year term on the Public Events Committee.

Motion:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointment of Andrea Levy for a three-year term to expire December 31, 2023.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Talamini, Van Eck.
Nay, Councilman Pignatelli.

APPROVE RAFFLE LICENSE:

On motion of Councilman Biale, seconded by Councilman Talamini, approval be granted to Raffle License RL1389 for Parents Athletic Committee of Indian Hills High School to hold an off-premise raffle for merchandise on February 21, 2021 at Indian Hills High School, 97 Yawpo Ave.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-01 to 21-28 CONSENT AGENDA

On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution 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 001 through 028, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 001 through 028 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. 001 through 028, as set forth and attached hereto as if said Resolutions were singularly read and voted upon by the Mayor and Council.

RESOLUTIONS

NUMBER 1 - RATE OF INTEREST ON DELINQUENT MUNICIPAL CHARGES

NUMBER 2 - PETTY CASH FUNDS

NUMBER 3 - SIGNATORIES - PAYROLL ACCOUNTS

NUMBER 4 - OFFICIAL DEPOSITORY - MUNICIPAL COURT ACCOUNT

NUMBER 5 - AUTHORIZATION INVEST BOROUGH FUNDS

NUMBER 6 - SIGNATORIES - BANK ACCOUNTS

NUMBER 7 - CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS
DEPOSITORIES

NUMBER 8- OFFICIAL DEPOSITORIES DESIGNATED

NUMBER 9- APPOINTING CERTIFYING OFFICERS

NUMBER 10- CERTIFYING OFFICIAL - RAFFLES AND BINGO

NUMBER 11- COUNTY COOPERATIVE PURCHASING PROGRAM
 NUMBER 12- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES
 NUMBER 13- JOINT INSURANCE FUND COMMISSIONER
 NUMBER 14- JOINT INSURANCE FUND ALTERNATE COMMISSIONER
 NUMBER 15- JOINT INSURANCE FUND SAFETY DELEGATE – JASON DUNCAN
 NUMBER 16- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – MICHAEL CARELLI
 NUMBER 17-PETTY CASH
 NUMBER 18-TAX REFUNDS
 NUMBER 19-ACCELERATED TAX SALE
 NUMBER 20 -LICENSE BOROUGH PROPERTY
 NUMBER 21- PUBLIC AGENCY COMPLIANCE OFFICIAL
 NUMBER 22-POLICY REGARDING GOVERNING BODY TRAINING
 NUMBER 23-RETIREE INSURANCE RATES
 NUMBER 24-APPOINT BMED COMMISSIONER
 NUMBER 25-FACILITY USE POLICY
 NUMBER 26-ATTENDANCE POLICY
 NUMBER 27-SURPLUS POLICY
 NUMBER 28-EMERGENCY PURCHASES

RESOLUTION NO. 1 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. 2 PETTY CASH FUNDS:

BE IT RESOLVED that David Young, Treasurer, be and he 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 2021, and

BE IT RESOLVED that David Young, Treasurer, be and he 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 2021, and

BE IT RESOLVED that David Young, Treasurer, be and he 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 2021, and

BE IT RESOLVED that David Young, Treasurer be and he 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 2021, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2021.

RESOLUTION NO. 3

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. 4

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 two signatures of the Municipal Court Judge or the Municipal Court Administrator.

RESOLUTION NO. 5

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 2021 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. 6

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	FEDERAL/STATE GRANTS
WATER CHECKING	OPEN SPACE TRUST
CAPITAL CHECKING	PAYROLL AGENCY
WATER CAPITAL CHECKING	PAYROLL ACCOUNT
SEWER CHECKING	AFFORDABLE HOUSING TRUST
TRUST CHECKING	UNEMPLOYMENT TRUST
ANIMAL CONTROL CHECKING	MUNICIPAL COURT REFUND
HEALTH BENEFITS CHECKING	CLAIMS ACCOUNT
SANITARY LANDFILL CHECKING	

SEWER CAPITAL CHECKING FEDERAL/STATE GRANTS
 ACCUMULATED ABSENCE LIABILITY
 BOARD OF ADJUSTMENT ESCROW
 PLANNING BOARD ESCROW
 BOROUGH OF OAKLAND COMMUNITY PASS

RESOLUTION NO. 7 CASH MANAGEMENT PLAN AND INTEREST BEARING
 ACCOUNTS:

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2021
 (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
 M & T, 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
 LAKELAND BANK, OAK RIDGE, 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. 8

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 Debra Benigno, Tax Collector, is the Custodian of said
 account and the signatures of the CFO, 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
 FLEXIBLE SPENDING
 UNEMPLOYMENT TRUST
 OPEN SPACE TRUST
 AFFORDABLE HOUSING
 DPW PETTY CASH
 MUNICIPAL CLERK PETTY CASH
 POLICE PETTY CASH
 SENIOR CENTER PETTY CASH
 CLAIMS ACCOUNT
 ACCUMULATED ABSENCE LIABILITY
 BOARD OF ADJUSTMENT ESCROW
 PLANNING BOARD ESCROW
 BOROUGH OF OAKLAND COMMUNITY PASS

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 and the CFO.

RESOLUTION NO. 9 APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2021:

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

RESOLUTION NO. 10 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. 11 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 New Jersey Cooperative Purchasing Alliance.

RESOLUTION NO. 12

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 his monthly report to the governing body as directed by the Borough of Oakland Cash Management Plan.

RESOLUTION NO. 13 JOINT INSURANCE FUND COMMISSIONER.

BE IT RESOLVED that Borough Administrator Richard Kunze be appointed Joint Insurance Fund Commissioner for the year 2021.

RESOLUTION NO. 14 JOINT INSURANCE FUND ALTERNATE COMMISSIONER

BE IT RESOLVED that Michael Carelli be appointed Joint Insurance Fund Alternate Commissioner for the year 2021.

RESOLUTION NO. 15

JOINT INSURANCE FUND SAFETY DELEGATE – JASON DUNCAN

BE IT RESOLVED that Jason Duncan be appointed as Joint Insurance Fund Safety Delegate for the year 2021.

RESOLUTION NO. 16

JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – MICHAEL CARELLI

BE IT RESOLVED that Michael Carelli be appointed as Joint Insurance Fund Alternate Safety Delegate for the year 2021.

RESOLUTION 17 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 18: 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 19: 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 2021.

RESOLUTION 20: 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 including 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 place 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. 21: 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 2021.

BE IT FURTHER RESOLVED that a certified copy of said Resolution be sent to the State of New Jersey.

RESOLUTION 22: 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 23: 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, 2021:

Borough of Oakland									
Monthly Retiree Insurance Rates									
	2021								
	Medical	Medical	Medical	Rx	Rx	Rx	Rx		
	Traditional	PPO	Direct 10	\$1	\$3/\$5	\$5/\$10	\$10/\$25/\$40	Dental	Vision
Single, No Medicare	1,393	1,224	1,122	378	371	270	219	59.00	14
P/C, No Medicare	1,951	1,711	1,570	530	519	378	305	115.00	20
H/W, No Medicare	3,035	2,663	2,445	825	812	589	486	109.00	30
Family, No Medicare	3,451	3,030	27,780	937	922	669	543	185.00	37
Medicare Advantage Rates									
	Medical	Medical w/ \$1/\$1 card	Medical w/ \$6/\$12/\$24 card	Rx	Rx				
	Without Rx			\$1	\$3/\$5				
Single, Medicare 1	492	877	659	378	371				
Borough of Oakland									
Annual Retiree Insurance Rates									
	2021								
	Medical	Medical	Medical	Rx	Rx	Rx	Rx		
	Traditional	PPO	Direct 10	\$1	\$3/\$5	\$5/\$10	\$10/\$25/\$40	Dental	Vision
Single, No Medicare	16,716	14,688	13,464	4,536	4,452	3,240	2,628	708	165
P/C, No Medicare	23,412	20,532	18,840	6,360	6,228	4,536	3,660	1,380	241
H/W, No Medicare	36,420	31,956	29,340	9,900	9,744	7,068	5,832	1,308	363
Family, No Medicare	41,412	36,360	333,360	11,244	11,064	8,028	6,516	2,220	439
Medicare Advantage Rates									
	Medical	Medical w/ \$1/\$1 card	Medical w/ \$6/\$12/\$24 card	Rx	Rx				
	Without Rx			\$1	\$3/\$5				
Single, Medicare 1	5,904	10,524	7,908	4,536	4,452				

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

RESOLUTION 24 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, 2021 to represent the Borough of Oakland; and

BE IT FURTHER RESOLVED that David Young be and is appointed as Alternate Fund Commissioner to the Bergen Municipal Employee Benefits Fund effective January 1, 2021.

RESOLUTION NUMBER 25 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 26 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.

RESOLUTION NO. 27 SURPLUS POLICY

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 15 percent and 20 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 15 percent minimum or exceeds the 20 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 15 percent and 20 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 15 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 20 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.

RESOLUTION NO. 28 POLICY GOVERNING EMERGENCY PURCHASES

WHEREAS, section N.J.S.A. 40A:11-6 of the Local Public Contracts Law permits local contracting units to use emergency purchasing procedures, and pursuant to corresponding Local Public Contracts Law rules adopted by the State's Division of Local Government Services on December 4, 2000, the governing body of each contracting unit shall adopt rules to ensure that there are written procedures for determining and confirming the existence of an emergency; and

WHEREAS, according to N.J.A.C. 5:34-6.1(b) such rules or regulations shall include such provisions that ensure that if initially designated individuals are not available, there is a clear chain of command to ensure that there are always appropriate individuals to make such decisions; and

WHEREAS, when an emergency arises requiring certain purchases to be made pursuant to emergency purchasing procedures, the Mayor and Council of the Borough of Oakland has determined that the following procedures shall apply.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, Bergen County, State of New Jersey that the following is adopted as the emergency purchasing policy for the Borough of Oakland.

A. POLICY GOVERNING EMERGENCY PURCHASING PROCEDURES

1. Contracts, including purchase orders, shall be entered into, and funds committed or expended for an emergency pursuant to N.J.S.A. 40A:11-6 and corresponding rules, N.J.A.C. 5:34-6.1, subject to the following requirements:
 - a. An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service(s);
 - b. The emergency must directly affect the public health, safety or welfare, and requires the immediate delivery of goods or the performance of service(s);
 - c. Emergency purchasing shall not be used for administrative convenience or for failure to plan. Sound business practices shall be used when an emergency purchase must be made;
 - d. The emergency purchasing procedure may not be used unless the need for the goods or performance of the service(s) could not have been reasonably foreseen or the needs for such goods or service(s) has arisen notwithstanding a good faith effort on the part of the Borough of Oakland to plan for the purchase of any required goods or service(s);
 - e. The contract shall be of such limited duration as to meet only the immediate needs of the emergency declared;
 - f. Under no circumstances shall the emergency purchasing procedures be used to enter into a multi-year contract;
 - g. Any emergency condition(s) in which the estimated cost is in excess of the bid threshold shall be approved by the Mayor and Council.

B. PROCEDURE FOR THE DECLARATION OF AN EMERGENCY

- a. A department head, or in their absence his/her designee, as soon as reasonably possible, shall notify the Borough Administrator of the need for awarding of a contract or purchase order, the nature of the emergency, the time of its occurrence and the need for invoking the emergency provision of the law;
- b. If the Borough Administrator is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs;
- c. Within 48 hours of an emergency occurrence, the department head, or in their absence his/her designee, shall submit to the Borough Administrator a written report (Certification of Request for Emergency Purchases) providing the information referenced above;
- d. In the Borough Administrator's absence, the chain of command for adherence to the requirements shall be:
 1. Chief Financial Officer
 2. Borough Clerk
 3. Chief of Police
 4. Superintendent of Public Works
 5. Borough Attorney

CASH MANAGEMENT PLAN BOROUGH OF OAKLAND BERGEN COUNTY, NEW JERSEY

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:4-14 in order to set forth the basis for the deposits (Deposits") and investment

("Permitted Investments") of certain public funds of the Borough of Oakland, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough of Oakland.
All Funds and Accounts

It is understood that this Plan is not intended to cover certain funds and accounts of the Borough of Oakland, specifically:
Developers' Escrow Account

III. DESIGNATION OF OFFICIALS OF THE BOROUGH OF OAKLAND AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Borough of Oakland and the Assistant Treasurer (the "Designated Officials") are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of Oakland are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated official (s) of the Borough of Oakland referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

See Resolution 8 of Consent Agenda of the first Council Meeting of 2021

VI. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provide for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- 1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- 2) Government money market mutual funds;
- 3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- 4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within the school district is located;
- 5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- 6) Local government investment pools;
- 7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
- 8) Agreements for the repurchase of fully collateralized securities if:
 - a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a;
 - b) the custody of collateral is transferred to a third party;
 - c) the maturity of the agreement is not more than 30 days;
 - d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, C 236 (c.17:9-41); and
 - e) a master repurchase agreement providing for the custody of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.

b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government Securities; and

c) which has:

I. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or

II. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

a) which is managed in accordance with 17 C.F.R. sec.270.2a-7;

b) which is rated in the highest category by a nationally recognized statistical rating organization.

c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities.

d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.

e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and

f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

None

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Oakland, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial

institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of Oakland to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to ensure that such Permitted Investments are either received by the Borough of Oakland or by a third party custodian prior to or upon the release of the Borough’s funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official (s).

VIII. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the governing body of the Borough of Oakland a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough of Oakland as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Oakland.

IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2021 to December 31, 2021. Attached to this Plan is a resolution of the governing body of the Borough of Oakland approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-29 TEMPORARY BUDGET

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

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

WHEREAS, the total appropriations in the 2020 Budget, less appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$17,444,325.88
Water Utility Operating Fund	\$1,629,600.00
Sewer Utility Operating Fund	\$474,800.00

WHEREAS, 26.25% of the total appropriations in the 2020 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$4,579,135.31
Water Utility Operating Fund	\$427,770.00
Sewer Utility Operating Fund	\$124,635.00

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2021 appropriations, which do not exceed 26.25% of the appropriations in the 2020 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

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

CURRENT	S&W	OE
ADMINISTRATIVE & EXECUTIVE	79,310	2,000
COMMUNICATION COMMISSION	-	1,300
GENERAL SERVICES	-	12,000
MAYOR & COUNCIL	13,455	3,200
MUNICIPAL CLERK	26,910	5,500
ELECTION	-	3,200
FINANCIAL ADMINISTRATION	67,275	8,300
AUDIT	-	-

INFORMATION TECHNOLOGY	-	65,000
TAX COLLECTION	20,700	1,800
TAX ASSESSMENT	22,770	1,800
LEGAL SERVICES	-	30,000
ENGINEERING	-	15,000
PLANNING BOARD	4,300	1,500
BOARD OF ADJUSTMENT	4,300	1,500
UNIFORM CONSTR CODE	56,925	10,900
INSURANCE	-	780,000
POLICE DEPARTMENT	1,151,500	44,000
EMERGENCY MANAGEMENT	2,400	2,700
FLOOD CONTROL COMMITTEE	1,300	400
Contribution to First Aid Squad	-	45,000
FIRE DEPARTMENT	-	24,000
PROSECUTOR	-	5,100
STREETS & ROADS	141,795	30,000
SHADE TREE	-	10,000
STORMWATER MANAGEMENT	18,630	10,000
GARBAGE & TRASH REMOVAL	14,490	350,000
SNOW REMOVAL	27,800	30,000
BUILDINGS & GROUNDS	48,645	40,000
VEHICLE MAINTENANCE	20,700	20,000
BOARD OF HEALTH	14,490	15,000
ENVIRONMENTAL COMMISSION	400	300

RECREATION	12,000	80,000
SENIOR CITIZENS ACTIVITIES	20,700	12,000
PUBLIC LIBRARY	114,885	110,000
ELECTRICITY	-	72,000
STREET LIGHTING	-	43,000
TELEPHONE	-	23,000
NATURAL GAS	-	12,000
GASOLINE	-	80,000
Social Security	-	140,800
Defined Contribution Plan	-	1,700
MUNICIPAL COURT	37,260	2,000
PUBLIC DEFENDER	-	3,000
Totals	1,922,940	2,149,000

Total	4,071,940
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Account Description	S&W	OE
<u>WATER</u>		
WATER - OPERATIONS	196,650	130,000
WATER - UTILITIES	-	70,000
WATER - Social Security	-	15,000
Totals	196,650	215,000

Total	411,650
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Account Description	S&W	OE
<u>SEWER</u>		
SEWER - OPERATIONS	-	108,400
SEWER - UTILITIES		

	-	10,800
SEWER - Social Security	-	-
Totals	-	119,200
Total		119,200

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-30 STAFF APPOINTMENTS

On motion of Councilman Knapp, seconded by Councilman Biale, 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 2021:

Michael Carelli	Deputy Borough Clerk
David Young	Treasurer

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-31 POLICE DEPARTMENT APPOINTMENTS

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

BE IT RESOLVED that, upon recommendation of Police Chief Sanzari, the following appointments be made for the Police Department for 2021:

CROSSING GUARDS

Barbara Beamon	Debra Hill
William Bickford	Robert Lynn
John Carr	Debra Patterson (sub)
Maryann Carroll (Sub)	Richard Pierce
Monica Carson	Charlotte Schaffler (sub)
Philip DeBiasi	William Sisti (sub)
Marilyn Dockery	Kelly Smith
Maria Giminez	Therese Vollmin
John Gray	Robert Weston
Mindy Greenfield	

POLICE MATRONS

Monica Carson	Lynn Ver Hage
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ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-32 BERGEN COUNTY MUTUAL AID

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

WHEREAS, the Police Departments in Bergen County have a day-to-day responsibility to prove for the security of lives and property and for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for the preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App.A:9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is also recognized that Police Chief Keith Sanzari, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT team operated in conjunction with the Bergen County Prosecutor's Office; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Oakland to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Police Department of the Borough of Oakland, under the direction of the Police Chief, cooperate with the Bergen County Police Chief's Association to create an Interlocal

Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor and all municipalities in the County of Bergen

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-33 CONFIRM EXTENSION OF OUTDOOR DINING

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

WHEREAS, the Mayor and Council had previously adopted Resolution 20-214 to allow for outdoor dining; and

WHEREAS, the Mayor and Council had previously adopted Resolution 20-309 to allow outdoor dining to continue through March 31, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council confirm that they have agreed to allow outdoor dining to continue through March 31, 2021 under the same terms and conditions as set forth in Resolution 20-214.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-34 AUTHORIZE DEDUCT CHANGE ORDER-LIBRARY PROJECT

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

WHEREAS, certain matters have arisen pertaining to the Contract between Daskal, LLC and the Borough of Oakland ("Borough"); and

WHEREAS, the original Contract amount was for a total of one million four hundred sixty-nine thousand five hundred five dollars and forty-nine cents (\$1,469,505.49); and

WHEREAS, the remaining Contract balance as of today's date is fifty-seven thousand four-hundred fifty-six dollars and forty-nine cents (\$57,456.49); and

WHEREAS, due to items that remain incomplete and/or disputed, the Parties have agreed to a deductive change order in the amount of seventeen thousand five hundred dollars (\$17,500); and

WHEREAS, the remaining Contract balance to be paid by the Borough upon executive of the Deductive Change Order will be thirty-nine thousand nine hundred fifty-six dollars and forty-nine cents (\$39,956.49); and

WHEREAS, the Borough Council has reviewed the Deductive Change Order and seeks to accept and agree to the terms of same; and

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

1). The Borough hereby accepts and agrees to the terms and conditions of the Deductive Change Order dated January 13, 2021, for a reduction in the amount owed to Daskal, LLC in the amount of seventeen thousand five hundred dollars (\$17,500); and

2). The Borough hereby authorizes the Mayor to execute the Deductive Change Order dated January 13, 2021; and

3). That this resolution shall take effect immediately.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-35 ADOPT FORM FOR NOTICE OF TORT CLAIM

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

WHEREAS, the New Jersey Tort Claims Act N.J.S.A. 59:8-6 provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

WHEREAS, the Borough of Oakland is a public entity covered by the provisions of the New Jersey Tort Claims Act; and

WHEREAS, the Borough of Oakland deems it advisable, necessary, and in the public interests, to adopt a Notice of Tort Claim form in the form set forth in paragraphs 1 and 2 herein.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland, that the attached Notice of Tort Claim form be and is hereby adopted as the official Notice of Tort Claim form for the Borough of Oakland; and

BE IT FURTHER RESOLVED that all persons making claims against the Borough of Oakland, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1 et seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-36 AUTHORIZE DISABLED VETERAN EXEMPTION REFUND TAXES-J. SOLIMAN

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

WHEREAS, on December 1, 2019, Mr. Joziph Soliman, owner of 107 Pawnee Avenue, Block 5402, Lot 19, was declared permanently disabled by the Department of Veterans Affairs; and

WHEREAS, the Tax Assessor granted a full property tax exemption as a permanently disable veteran; and

WHEREAS, the tax exemption is retroactive to December 1, 2019, and because of the foregoing, taxes from December 1, 2019 should be canceled and a refund be issued, in the amount of \$ 12,873.48 for taxes paid to date;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the property taxes from December 1, 2019 be cancelled and a refund in the amount of \$ 12,873.48 be issued to Joziph Soliman.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-37 RE-ESTABLISH GREEN TEAM

Councilman Van Eck thought it was being discussed to merge the Green Team. Councilman Pignatelli advised that it was brought up last year about merging with the Environmental Commission. The Green team thought their mission statement aligned more with the Shade Tree Commission. Mr. Kunze advised this topic came up last year. It was determined that the goals and purpose of the Green Team don't align closely enough to the Shade Tree or Environmental Commissions. There are a lot of activities that don't align with those. Councilman Van Eck thinks this should be consolidated. Mr. Chewcaskie advised that the Environmental Commission and Shade Tree Commission have specific authority pursuant to Statute. The Green Team has more sustainable issues than Shade Tree or Environmenta Commission are authorized to address. Mayor Schwager stated that the Environmental Commission is lacking in leadership and membership now. The Green Team has nine people who want to be reappointed and they worked very hard to get silver certification. Mr. Kunze advised that there are some volunteer Boards that are having trouble reaching capacity. There is diversity of interest with Green Team members. Councilman Pignatelli stated that the Green Team does apply for grants. Councilman Talamini asked what silver certification means. Mr. Kunze responded it is a mark of distinction for the Borough. Mr. Chewcaskie advised that this resolution can always be dissolved if it is passed and then the Governing Body change their mind. Mayor Schwager suggested passing the resolution. She stated it would be a disservice to all the members who asked to be reappointed and who want to work. She asked for a motion. No motion was made. Mr. Chewcaskie advised this can be brought up at a future meeting.

RESOLUTION 21-38 RE-ESTABLISH GREAT OAK PARK COMMITTEE

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

WHEREAS, the Borough of Oakland is the owner of approximately 40 acres of open space formerly known as the Pleasure Land property; and

WHEREAS, the Mayor and Council created the Great Oak Park Committee to formalize the planning, funding and coordination of the development of this public park, and oversee the development phases; and

WHEREAS, there is still a need for the Great Oak Park Committee and the Committee must be re-established by resolution;

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

- a. There is hereby re-established in the Borough of Oakland the Great Oak Park Committee, which shall be responsible for the study, planning, coordination of various municipal groups and the public for input; coordination of sub-committees, if necessary; organization of fund raising efforts; obtaining input from municipal departments or commissions; coordination of any DEP or other environmental concerns; and ultimate recommendations to the Mayor and Council for development of the park, to be accomplished in phases.
- b. The Committee shall consist of six residents of the Borough, made up of a Chairman, four regular members and an alternate member, who shall each serve one year terms, all of whom shall be appointed by the Mayor, with the advice and consent of the Council. In addition, the Council shall name a Council Liaison to the Committee. In addition to the six members of the Committee and the Council Liaison, the following positions are ex officio members of the Committee: Mayor, Borough Administrator, Borough Engineer, and Department of Public Works Superintendent.
- c. The Committee shall be authorized to obtain a 501 (c) 3 tax deductible donation designation under the informal name of "Friends of the Park", which shall be a separate, legally incorporated organization. All monies obtained by donation and gift to the park shall be deposited into a trust account, to be maintained by the Borough's CFO.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-39 AUTHORIZE LESO PROGRAM

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

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEA's); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEA's, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Oakland Police Department is hereby authorized to acquire items on non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Oakland Police Department without restriction;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Oakland Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for this resolution authorizes: Armored Security Vehicle, Automobile-Sedan, Automobile-Wagon, Baton-Kinetic Energy, Body Shield, Breach System, Breaching Ram, Breaching System, Capabilities Set Non-Lethal, Car-Armored, Car-Armored Mine Disposal, Carrier-Ambulance, Carrier-Cargo, Carrier-Command Post, Cartridge-12 Gage Shotgun, Cartirdge-12 Gage Shotgun Non-Lethal, Cartridge-40 Millimeter, Charge-Diversionary, Club Self-Protection, Commun Equip Soms-B, cutter Head hydraulic Breaching and Extraction Tool, Door Opener hydraulic Breaching and Extraction Tool, Faceshield Military Riot Control, Forced Entry and Rescue Equipment Aircraft Crash, Goggles Protection Riot Control, Ground Sensor Surveillance Vehicle, Gun Portable Riot Control, Hatbox Riot Crowd, helmet Police, Helmet Safety, Kit Mechanical Breach, Kit Riot Protection, Light Armored Vehicle, Mine Clearing Vehicle, Mine Detector System Vehicle mounted, Mine Resistant Vehicle, Munition Crowd Control Modular Non-Lethal, Non-Ballistic Body Shield, Non-Lethal Weapons Capabilities Set, Only Complete Combat Assault Tactical Wheeled Vehicles, Protective Shield T, Ram Battering, Ram Door Mini, Riot Control Shield, Security Vehicle, Shield Personal Protective, Shield Self-protection, Shop Equipment Contact Maintenance, Shop Set Contact Maintenance Truck Mounted (engineer), Shop Set contact Maintenance Truck Mounted (Ordinance), Sight Thermal, Sledge Hammer, Tool Breaker Hinge, Truck Tractor, Truck Ambulance, truck Armored, Truck Bolster, Truck Bomb Service, Truck Cargo, Truck Carryall, Truck Command Reconnaissance, truck Dump, Truck Maintenance, Truck Materials Handling-Container Hoisting, Truck Palletized Loading, Truck Panel, Truck Stake, Truck Tank, Truck Utility, Truck Van, Truck Wrecker, trucks and Trucks Tractors Demil C, Up Armored NTVS, utility Vehicle OffRoad.

BE IT FURTHER RESOLVED, that the Oakland Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 01, 2021 to December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-40 APPOINT MUNICIPAL 9-1-1 COORDINATOR

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

WHEREAS, the Borough of Oakland (“Borough”) is required pursuant to State law and the regulations of the State Department of Treasury to appoint a coordinator for the Borough’s emergency telephone system (“9-1-1 System”); and

WHEREAS, the municipal coordinator of the 9-1-1 System is responsible for maintaining a plan for enhanced emergency services throughout the Borough and for developing such revisions to the plan as may be necessary for review by the Mayor and Council of the Borough; and

WHEREAS, the Borough is empowered by law to appoint and employ professionals, technical advisors and experts as the Borough may determine to be necessary for its efficient operation; and

WHEREAS, the Borough has received a written recommendation from Chief Keith Sanzari of the Oakland Police Department, requesting the appointment of Keith Docwra as the municipal coordinator of the 9-1-1 System; and

WHEREAS, the Mayor and Council of the Borough are desirous of appointing Keith Docwra to serve as municipal coordinator for the 9-1-1 System in accordance with the requirements and procedures mandated under N.J.S.A. 52: 17C-1 et seq. and N.J.A.C. 17:24-5.1 et seq.,

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

1. That Keith Docwra of the Oakland Police Department is hereby appointed to serve as the municipal coordinator for the Borough’s 9-1-1 System.
2. That Keith Docwra shall perform all such duties and carry out all of the responsibilities as set forth in the existing plan for enhanced emergency services throughout the Borough and in accordance with the requirements and procedures mandated under N.J.S.A. 52: 17C-1 et seq. and N.J.A.C. 17:24-5.1 et seq.,
3. That no further action of the Borough shall be required.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-41 AUTHORIZE NON-UNION SALARIES

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

BE IT RESOLVED that the following salaries for non-union employees are effective January 1, 2021:

BOROUGH OF OAKLAND
NON-UNION SALARIES

NAME	POSITION	2020 SALARY	2021 SALARY	Notes
Antoshak, Sam	Fire Inspector	25.96	26.92	PT Hourly
Baron, Dawn	Court Administrator	70,439	72,189	
Bauberger, Roy	OEM Coordinator	9,006	9,186	Stipend
Bauberger, Roy	Flood Control Commissioner	3,747	3,822	Stipend
Benigno, Debra	Tax Collector	64,750	66,500	
Buonocore, Thomas	Municipal Judge	26,520	27,050	PT
Carelli, Michael	Assistant to the Administrator	47,850	49,600	
Carelli, Michael	Deputy Borough Clerk	5,000	5,100	Stipend
Carelli, Michael	Deputy Registrar	2,040	2,081	Stipend
Davis, Christine	Confidential Secretary - Police Dept.	54,662	56,412	
Dies, Vincent	Code Enforcement Officer	20.00	20.96	PT Hourly
Duncan, Lisa	Borough Clerk	80,815	82,565	
Duncan, Jason	Safety Coordinator	3,060	3,121	Stipend
Farley, Terry	Right to Know Coordinator	4,080	4,162	Stipend
Holzhauser, Scott	Tax Assessor	54,783	55,879	PT
Gurney, Kathlyn	Confidential Assistant - Adm.	61,633	63,383	
Gurney, Kathlyn	Planning and Zoning Board Secretary	334.93	341.63	Per Meeting
Gurney, Kathlyn	Municipal Housing Liaison	1,500	1,530	Stipend
Greco, Susan	Program Aide - Seniors	18.94	19.90	PT Hourly
Knubel, Denny	Fire Inspector	25.96	26.92	PT Hourly
Kunze, Richard	Borough Administrator	173,798	177,274	
Marcucilli, Anthony	Superintendent of Public Works	122,573	125,024	
McMahon, John	Bus Driver - Seniors	22.42	23.38	PT Hourly
McMahon, Michael	Assistant Superintendent of Public Works	105,424	107,532	
Pellegrini, Vincent	Plumbing Subcode Official	20,400	20,808	PT
Preciado, Arielle	Senior Citizens Director	58,500	60,250	
Sanzari, Keith	Police Chief	175,000	178,500	
Young, David	Treasurer / CFO	98,840	100,817	
Various	Crossing Guards - Step 1	18.08	18.44	PT Hourly
	Crossing Guards - Step 2	20.12	20.53	PT Hourly
Various	Per Diem Dispatchers - Step 1	20.91	21.33	PT Hourly
	Per Diem Dispatchers - Step 2	26.14	26.66	PT Hourly
Various	Police Matrons	25.50	26.01	PT Hourly
Various	Secretary - Boards / Commissions	1,200	1,200	Stipend
Firefighters	Fire Chief	3,875	3,875	Stipend
	Assistant Chiefs	3,125	3,125	Stipend
	Captains	2,313	2,313	Stipend
	Lieutenants	1,563	1,563	Stipend
	Secretary - Boards / Commissions	1,550	1,550	Stipend
	Fire Mechanic	1,156	1,156	Stipend

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-42 AUTHORIZE CONTRACT FOR I.T. SERVICES

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

WHEREAS, the Borough of Oakland is in need of I.T. Managed Services for the Borough main network, Police network and Fire Department; and

WHEREAS, Altitude Unlimited, 1050 Wall St. West, Suite 203, Lyndhurst, NJ 07071 has State Contract #M-7000 for the services required ; and

WHEREAS, Altitude Unlimited has submitted a proposal for the services required at an annual cost not to exceed \$ 47,886;

WHEREAS, the Chief Financial Officer has certified that funds are available in Account 1-01-20-140-029;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Administrator to issue and sign the contract to Altitude Unlimited to perform the I.T. Managed Services for the Borough of Oakland at a cost not to exceed \$ 47,886 as specified in their proposal.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-43 AUTHORIZE CONTRACT-LAND CONSERVANCY

On motion of Councilman Knapp, seconded by Councilman Biale, 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 dated October 13, 2020 which includes a form of agreement 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. T-18-56-286-000 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.

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 Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-44 AUTHORIZE AGREEMENT-IDA

On motion of Councilman Knapp, seconded by Councilman Biale, 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 \$ 6.00 per employee per month not to exceed \$7,500.00 and for the retiree reimbursement program at a rate of \$ 30 per employee not to exceed \$ 4,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Account #1-01-23-220-003 \$ 7,500.00 and Account # 1-01-23-220-001 \$4,000.00;

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 Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-45 AWARD BID-VEHICLE AUCTION

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

WHEREAS, pursuant to the provisions of NJSA 40A:11-36, the Borough of Oakland may sell any personal property; and

WHEREAS, the Mayor and Council of the Borough of Oakland previously authorized the sale of surplus vehicles via online public auction; and

WHEREAS, said auction took place and the Governing Body now wishes to approve the winning bids.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the winning bids and amounts thereof are hereby approved for the following:

<u>Vehicle</u>	<u>Winning Bidder</u>	<u>Winning Bid</u>
2004 Ford F-250 & Western plow	Lazaro Triana	\$ 3,700
2001 Ford F-250 & Western Plow	Lazaro Triana	\$ 4,300
2003 Crown Vic	John Lawrence	\$ 1,000
Dynapac Roller	Paul Demartini	\$ 3,650
1990 Case 621 Loader	Kevin Dupell	\$14,600

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-46 AUTHORIZE RECREATION REFUND

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation fees; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorize a refund to:

Berrian Family, 111 Doty Road, Oakland, NJ, amt. \$ 73 (Rec Basketball)
Andro Family, 43 Acorn Ave, Oakland, NJ, amt. \$ 227 (Rec and Travel Basketball)

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-47 AWARD BID-DIGITAL SIGN

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

WHEREAS, on December 22, 2020, the Borough of Oakland received one (1) bids for the Digital Sign to be located at Veterans Park; and

WHEREAS, Allied Sign Corporation, 69 Megill Road, Farmingdale NJ 07727 had the lowest responsive and responsible bid with a total bid price of \$ 59,500 and

WHEREAS, the Borough Engineer and the Borough Attorney have reviewed the bids and have recommended acceptance of the bid from Allied Signage Corporation; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account # T-13-56-286-028 for \$37,500 and # C-04-56-809-501 for \$22,000.

NOW, THEREFORE, BE IT RESOLVED that the bid of Allied Sign Corporation in the total amount of \$59,500 be accepted; and

BE IT FURTHER RESOLVED, that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-48 AUTHORIZE PROMOTION-SANDRA STEELE

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon the recommendation of the Board of Health President and the Borough Administrator, hereby approve the following promotional recommendation and salary increase effective January 1, 2021.

Sandra Steele, from Clerk 1 to Clerk 2, annual salary \$ 48,352

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-49 HIRE SEASONAL SNOW PLOW EMPLOYEE

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

WHEREAS, there is a need to hire seasonal snow plow employees for the Department of Public Works; and

WHEREAS, the seasonal snow plow employees will be paid the snow rate as specified in the Blue Collar Labor Agreement for which the current snow rate of \$31.00 per hour;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council hereby authorize the hiring of the following seasonal snow plow employee for the Department of Public Works effective January 13, 2021:

Charles Kelly

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-50 AWARD CONTRACT-CONTINUING DISCLOSURE AGENT

On motion of Councilman Knapp, seconded by Councilman Biale, 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 \$ 1050; 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 #1-01-20-130-028

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Phoenix Advisors LLC in an amount not to exceed \$ 1050 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 Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-51 REFUND UCC FEE FOR OUTDOOR DINING

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

WHEREAS, the Mayor and Council agreed to waive the Borough portion of permit fees for restaurants applying for structures for outdoor dining due to COVID-19; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, authorize refunds to the following:

Cenzino’s, 589 Ramapo Valley Road, Oakland, NJ 07436, amount due \$ 200
Portobello, 175 Ramapo Valley Road, Oakland, NJ 07436, amount due \$ 1,300

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-52 AWARD CONTRACT-GASOLINE

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

WHEREAS, the Borough of Oakland needs to purchase gasoline for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the New Jersey Cooperative Purchasing Alliance (state ID #11-BeCCP); and

WHEREAS, the New Jersey Cooperative Purchasing Alliance has extended a one year option on contract #17-41, Gasoline, to Rachles/Michele's Oil through March 31, 2021 and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase gasoline through the New Jersey Cooperative Purchasing Alliance in an amount not to exceed \$ 40,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 1-01-31-460-001 and Water Operating Fund budget account #1-05-55-504-400 and from appropriation in the 2021 budget, subject to adoption;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Gasoline, in an amount not to exceed \$40,000, through the New Jersey Cooperative Purchasing Alliance, contract # 17-41, Gasoline, awarded to Rachles/Michele's Oil, 116 Kuller Road, Clifton, NJ .

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-53 AWARD CONTRACT-DIESEL FUEL

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

WHEREAS, the Borough of Oakland needs to purchase diesel fuel for its vehicles; and

WHEREAS, the Borough of Oakland is a member of the New Jersey Cooperative Purchasing Alliance (state ID #11-BeCCP); and

WHEREAS, the New Jersey Cooperative Purchasing Alliance has extended a one year option on contract #17-42, Diesel Fuel to Rachles/Michele's Oil Co. through March 31, 2021 and said contract was awarded through the open competitive bidding process and in accordance with N.J.S.A. 40a:11 et seq., Local Public Contracts Law; and

WHEREAS, the Borough Administrator and Superintendent of Public Works have recommended that the Borough of Oakland purchase diesel fuel through the New Jersey Cooperative Purchasing Alliance in an amount not to exceed \$ 20,000; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for these purchases, said funds to be encumbered from account number 1-01-31-460-001 and Water Operating Fund budget account# 1-05-55-504-400 and from appropriation in the 2021 budget, subject to adoption.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, that the Mayor and Borough Council hereby authorizes the purchase of Diesel Fuel, in an amount not to exceed 260,000, through the New Jersey Cooperative Purchasing Alliance, contract # 17-42 Diesel Fuel awarded to Rachles / Michele's Oil Co., 116 Kuller Road Clifton, NJ .

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-54 REAPPOINT TAX COLLECTOR

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

WHEREAS, Debra Benigno was appointed Tax Collector for the period of June 17, 2019 through December 31, 2020 to fill the unexpired term of the former Tax Collector; and

WHEREAS, the Borough Council wishes to retain Ms. Benigno in the position of Tax Collector; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142, the term of office for Tax Collectors shall be four years from the first day of January;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Debra Benigno is hereby appointed as Tax Collector for a term commencing January 1, 2021 through December 31, 2024.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-55 REFUND TAXES-DISABLED VETERAN-B. FERNANDEZ

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

WHEREAS, on November 10, 2020, Bryan Fernandez, owner of 720 Ramapo Valley Road, Block 5301, Lot 5, was declared permanently disabled by the Department of Veterans Affairs; and

WHEREAS, the Tax Assessor granted a full property tax exemption as a permanently disable veteran; and

WHEREAS, taxes from November 10, 2020 should be canceled and a refund be issued, in the amount of \$ 1,149.03 for taxes paid;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that the property taxes from November 10, 2020 be cancelled and a refund in the amount of \$ 1,149.03 be issued to Bryan Fernandez.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-56 REFUND TAXES DUE TO OVERPAYMENT-BL. 802, L57

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

WHEREAS, the Borough of Oakland has received a request from Rickie & Consolacion Klempner, Oakland, NJ for a refund of taxes due to an overpayment; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
802/57	7 Woods End	\$ 4,657.83

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-57 REFUND TAXES DUE TO OVERPAYMENT-BL. 1501, L6

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

WHEREAS, the Borough of Oakland has received a request from John J. & Cindy A. Holdefehr, Oakland, NJ for a refund of taxes due to an overpayment; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
1501/6	185 Lakeshore Dr.	\$ 250.00

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-58 REFUND TAXES DUE TO OVERPAYMENT-BL. 1607, L 3

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

WHEREAS, the Borough of Oakland has received a request from John L. & Laura E. Ernest, Oakland, NJ for a refund of taxes due to an overpayment; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
1607/3	160 Lakeshore Dr.	\$ 2,798.97

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-59 REFUND TAXES DUE TO OVERPAYMENT- BL. 2511, L 12
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Borough of Oakland has received a request from Deborah A. Brown, Oakland, NJ for a refund of taxes due to a successful 2020 County Tax Board Judgment; and

WHEREAS, N.J.S.A. 40A:5-17 requires governing body approval for said refund;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
2511/12	Grandview Ave.	\$ 179.94

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

RESOLUTION 21-60 AUTHORIZE AGREEMENT-SLUDGE DISPOSAL
On motion of Councilman Knapp, seconded by Councilman Biale, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need for the Borough of Oakland to dispose of sludge from the wastewater treatment plants; and

WHEREAS, the Northwest Bergen County Utilities Authority (NBCUA) has submitted a proposal to accept disposal of the sludge; and

WHEREAS, the proposal has been reviewed and recommended by the Superintendent of Public Works; and

WHEREAS, the Borough Attorney has reviewed the Shared Service Agreement provided to the Borough by the NBCUA;

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the Borough of Oakland is hereby authorized and directed to execute the 2021 Shared Service Agreement for Sludge Disposal; and

BE IT FURTHER RESOLVED that Oakland will pay to NBCUA for following rates:

A. For sludge with a maximum of 2.6% solids, \$35.00 per 1,000 gallons;

- B. For sludge with a minimum of >2.6% and maximum of 4% solids, \$54.00 per 1,000 gallons;
- C. For sludge with a minimum of >4% solids and a maximum of 8% solids, \$72.50 per 1,000 gallons;
- D. For sludge with solids of >8%, \$95.00 per 1,000 gallons.

BE IT FURTHER RESOLVED that a copy of the Resolution and Agreement with NCBUA shall maintained in the Borough Clerk's office.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

INTRODUCTION: ORDINANCE NO. 21-CODE-819 AMEND TRAFFIC ORDINANCE-MONHEGAN AVE. PARKING

The Clerk was directed to take from table Ordinance No. 21-Code-819 and read by title for its first reading.

The Clerk then read by title Ordinance No. 21-Code-819 entitled: " AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER VII "TRAFFIC", SECTION 14 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREET OF THE CODE OF THE BOROUGH OF OAKLAND"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance Amending And Supplementing Chapter Vii "Traffic", Section 14 Entitled "Parking Prohibited At All Times On Certain Street Of The Code Of The Borough Of Oakland", be introduced;

That said Ordinance be considered for final adoption at a meeting on January 27, 2021 held via Zoom Video Conference at 7:30 pm.

The ordinance be published in full in The Record on or before January 18, 2021 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 Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

WORK SESSION AGENDA ITEMS:

MAILBOX REPLACEMENT POLICY:

Mr. Kunze advised he surveyed other towns to see what provisions they have in their policies. Based on that information and the Governing Body's intent, a formal policy should include the following provisions:

- A formal claim form should be used which includes a general release.
- DPW will investigate and determine the validity of each claim.
- In order to be eligible for compensation, the mailbox and post must have been secure. If there is any evidence that the mailbox or post was loose, the claim may be denied.

- Installation and placement of the mailbox must meet USPS mailbox guidelines.
- Compensation would be made for damage caused by either direct contact with Borough equipment or by snow thrown off the plow.
- Reimbursement would be up to \$100. A copy of the receipt must be provided. Reimbursements offered by other towns ranged from \$30 to \$150, with \$100 appearing to be the most common amount offered.
- The resident would still have the right to file a tort claim if they are seeking reimbursement over \$100.
- Claims must be made within 90 days (which is the amount of time someone has to file a tort notice with the Borough pursuant to statute).

Councilman Pignatelli has had a mailbox knocked over by a truck and the replacement mailbox cost \$ 80. His neighbor spent over \$ 100 on his so Councilman Pignatelli thinks the \$ 100 is reasonable. Councilman Kulmala asked what happens if it is on a County road. Mr. Kunze advised that the Borough plows the County roads so it is on us. Councilman Knapp is satisfied with the recommendations and appreciates how quickly Mr. Kunze got this done. Mr. Kunze will work with Mr. Chewcaskie on the formal policy. Councilman Van Eck asked if it is on the homeowner to contact the Borough. Mr. Kunze explained that the driver may not realize that they hit a mailbox. In cases where they do realize it, they are supposed to report it. Councilman Van Eck thinks the drivers should report it. Mayor Schwager advised that many houses do not have house numbers or lights on so it is difficult for the driver to see. She gives credit to the snow plow drivers who work so hard throughout the night. Councilman Van Eck asked what it means to investigate the validity. Mr. Kunze responded that we don't really turn down a lot of claims unless the mailbox had a rotted post.

RESOLUTION OPPOSING S3095:

Mr. Kunze explained that this legislation would alter some things within the Construction Code on inspections. It would require towns to offer expedited inspections for a fee or residents would be able to secure a third party to do inspections. There are questions about the law as written and it brings up the issue of equity among homeowners. Mayor Schwager advised that she is on the League of Municipalities committee that discusses legislation. This would allow for private inspections and is a conflict because the municipality wants to inspect. The League is opposed to this legislation. The Borough wants our own inspectors to do inspections to make sure the rules are being followed. Councilman Pignatelli thought he read that the Borough would collect the fee for the third party inspector. Mr. Kunze explained a portion of the fee would be returned to the homeowner. It opens up issues. Mayor Schwager advised this doesn't protect the buyer, it protects the seller. Councilman Kulmala asked who is behind this legislation. Mr. Kunze responded the Building Trade groups are behind this. Councilman Van Eck asked if the issue is that inspections take too long. Mr. Kunze responded this legislation does not take into effect the time for plan review or if an application to the land use board is required. Councilman Van Eck thinks it is a good idea to pay a premium to expedite the inspection. Mr. Kunze advised that the Borough would have to hire an additional inspector if everyone decides to pay an expedited fee. Councilman Talamini spoke of the difficulties for a contractor having to do work for all different inspections. Councilman Knapp would support opposing this legislation. Mayor Schwager reiterated that the League of Municipalities is opposed to this legislation.

NEW BUSINESS:

Councilman Knapp stated he will be resigning from the Council effective February 2nd. His final meeting will be January 27th. He explained that he took a new position that requires him to relocate. Mayor Schwager wished Councilman Knapp the best of luck. Councilman Biale advised that Councilman Knapp has been a servant of the town for 40 years. He commended Councilman Knapp's demeanor and professionalism as Fire Chief and as a member of the Council.

OLD BUSINESS:

Councilman Van Eck advised that there were complaints at the end of 2020 about internet connectivity. The Borough had a good productive meeting with Altice. They explained that people working from home have boosted usage and they explained about bandwidth hogs. Councilman Knapp advised that the interference is difficult to track down. Some parts of town are affected while others are not. There are gamers that are hogging bandwidth. He spoke of speed being based off of hardwired devices but there are a lot of wireless devices. Councilman Van Eck advised that there will be follow up with Altice.

Councilman Talamini asked the status of the homes on Lenape Lane. Mr. Kunze responded that Aaron Cela from the Land Conservancy is getting back the contracts from Phase 3. Once the contracts are all in, the Borough can get quotes for the due diligence work. Councilman Talamini asked if there is any timeframe. Mr. Kunze advised that usually due diligence takes a couple of months and then we can close. He anticipates that there will be spring and summer closings. Councilman Kulmala asked if the Borough is taking other houses down by the park. Mr. Kunze responded they will be taken down in the spring.

COUNCIL REPORTS:

Councilman Van Eck: He wished everyone a Happy New Year. The Shade Tree Commission is close to introducing a new shade tree ordinance at an upcoming meeting. He would like the Chairman to make a presentation to the Council in February. He explained that 100's of trees have been taken down and not replaced. The Shade Tree Commission is looking to contract with a forester to give better and more timely service to the residents. The OCC is looking for volunteers. There are two positions open. There are great people on this Commission and they meet every other month. The OCC is working on removing the old equipment at the tv studio. The TV committee wants local original music to use as background music. The January 11th meeting was rescheduled to January 19th. Recreation baseball and softball signups have begun. Pre-registration for the Rutgers Safety Course for coaches is available.

Councilman Talamini: He thanked Councilman Knapp for his service and wished him the best of luck in his future endeavors. The Library Board meetings tomorrow. The elementary schools are virtual and are scheduled to go in-person on January 25th. Indian Hills is open but Ramapo High School has closed a couple of times for Covid. Councilman Talamini is happy he is Finance chair again because it has been great working with Mr. Kunze and CFO David Young. Councilman Talamini feels bad that the sewer representatives don't want to meet with Borough officials anymore. He was feeling good about the last meeting and thought there wasn't an understanding. He hopes there can be a compromise.

Councilman Biale: He stated he was disappointed about the appointments. He wanted to stay with the assignments he had and he was moved around. He is looking forward to working with Councilman Van Eck on DPW but he will miss the Seniors. He commented that the sewer users feel they are being mistreated and they cannot have an inexperienced person as the Chair of the Water & Sewer Committee. Councilman Biale offered to be the Chair of the Water & Sewer Committee because he knows the angst the 235 residents have. The Senior Center is closed this

week but should reopen on Tuesday. The Senior Center is operating on winter hours through February 26th. There is a mix of in-person, Zoom and hybrid classes. Pre-registration is required for in-person classes. The next meeting of the monthly book club is January 20th. Line dancing has been postponed indefinitely. There are Ipads available to borrow for use at the Senior Center. Weekly shopping trips have resumed. The Books to Go program is being offered in conjunction with the Library. The DPW will be inspecting storm drains, 2400 catch basins and stormwater outfall areas from January 19th to the end of February. Christmas trees are being collected in the month of January. The list has been sent to Rockland Electric for this year's allotment of LED lights.

Councilman Pignatelli: He read a message from the Flood Chair on the passing of Secretary Lois Smid. The Flood Commission has relied on Lois for the past 18 years and she will be sorely missed. Councilman Pignatelli thanked Councilman Knapp for his service. Councilman Knapp has brought forth initiatives that were beneficial to the town. The Board of Health will meet January 19th. He encouraged people to get vaccinated. The Governor announced that people aged 65 and older can get the shot. It is important to reserve space. Volunteers are needed for the Environmental Commission. Volunteers are the backbone of the community.

Councilman Kulmala: He thanked Councilman Biale for stepping up to be Chair of the Water & Sewer Committee. Councilman Biale has expertise which is important for continuity. Councilman Kulmala is looking forward to a successful 2021.

Councilman Knapp: Great Oak Park is closed for winter to prevent the impervious surface from being ripped up. The new entrance will remain open but will not be plowed. The Police Chief warns about an increase in motor vehicle thefts. He advised residents not to leave their key fob in the car. The Police Chief suggested getting video security systems or motion sensor lights. Residential burglaries are on the rise in Bergen County.

OPENED FOR PUBLIC COMMENT:

On motion of Councilman Pignatelli, seconded by Councilman Knapp, this portion of the meeting be opened for public comment.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

Katrine Beck, 8 Chapel Hill, applauded Councilman Biale for saying he wanted to work with the sewer users. She advised that the fine is not the only issue to be resolved. The solution needs to be to find grants for the funding of the \$ 5 million. She thanked Councilman Knapp for his service.

Benjamin Wagman, 10 Mt. Lakes Rd, wants the Council to put the shoe on the other foot and understand how the sewer users feel. From the beginning, the Mayor said not to worry about the \$421,000 fine. It comes down to trust and transparency. The sewer users should not have to pay the \$ 421,000 fine.

Jay DeMauro, 35 Massasoit Trail, commented that the \$ 100,000 already paid equates to \$425 per household which is the average annual cost in NJ for sewers users. We pay exorbitant costs and pay for the lining of the pipes. The frustration is incredible. It is amazing to pay these prices for a utility on its last legs.

Rachel Gregory, 2 Kiowa Terrace, spoke of pipes being laid for future use so she thought there would be compromise about a contribution from the town. We tried talking to the town about running a deficit in the sewer utility until more users come on. The CFO said he wouldn't do it. A public meeting for all sewer users would be better moving forward.

Mayor Schwager has all the questions and comments and will draft a response to the residents.

CLOSED FOR PUBLIC COMMENT:

On motion of Councilman Knapp, seconded by Councilman Biale, this portion of the meeting be closed to public comment.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

BILLS TO BE PAID:

On motion of Councilman Talamini, 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 Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Kulmala, the meeting be adjourned at 10:19 pm.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Pignatelli, Talamini, Van Eck.

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk
February 10, 2013

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager