

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 22, 2020

MOVE TO EXECUTIVE SESSION:

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

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

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

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

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Knapp, seconded by Councilman Biale, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

MEETING CALLED TO ORDER: By Mayor Schwager at 7:32 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy. Absent: Councilman Van Eck. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Nylema Nabbie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

EXCUSE ABSENCE:

On motion of Councilman Pignatelli, seconded by Councilman Levy, the absence of Councilman Van Eck be excused.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

MAYOR'S REPORT:

Mayor Schwager advised that former Councilman Joe Torre passed away. There are now bins at the First Aid Squad for recycling Styrofoam and Plastics. There will be a shredding event Saturday May 2nd from 9 am to 1 pm in the Borough Hall parking lot. On Saturday February 1st, Mayor Schwager will be a judge for the Girl Scout cupcake contest. On February 6th, there will be a meeting at the Senior Center at 5:30 pm with those residents affected by the Skyview Treatment Plant. Mayor Schwager was asked to be on the Boy Scout nominating committee. There are still openings on Boards and Committees. Mayor Schwager advised there are a lot of telephone scams and told residents not to give out personal information.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

Michael Simino, 97 Seminole Ave, has an issue with a neighbor who has a dilapidated retaining wall and fence. He has retained an attorney. Mr. Wittekind has not responded to Mr. Simino's attorney. Mayor Schwager advised that Mr. Kunze will follow up with Mr. Wittekind.

Dave Richardson, 320 Ramapo Valley Road, complained that the DPW is not filling potholes and complained about the DPW brining in the rain.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPROVAL OF MINUTES: DECEMBER 4, 2019

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of December 4, 2019 be approved.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPROVAL OF MINUTES: DECEMBER 18, 2019

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of December 18, 2019 be approved.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPROVAL OF MINUTES: JANUARY 5, 2020 OATH OF OFFICE

On motion of Councilman Biale, seconded by Councilman Levy, the minutes from the Mayor and Council Oath of Office meeting of January 5, 2020 be approved.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPROVAL OF MINUTES: DECEMBER 4, 2019 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of December 4, 2019 be approved.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPROVAL OF MINUTES: DECEMBER 18, 2019 EXECUTIVE SESSION

On motion of Councilman Biale, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of December 18, 2019 be approved.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

CERTIFICATE OF APPRECIATION

Mayor Schwager gave a certificate to Recreation Football Commissioner Al Nittoli for his service to the Recreation Commission and to the football program. Recreation Chairman Mike Guadagnino stated that people don't realize how much work Mr. Nittoli did for the football program and he thanked Mr. Nittoli for everything. Councilman Talamini commented that his daughter is a cheerleader and the football program always included the cheerleaders. He thanked Mr. Nittoli. Mr. Nittoli thanked the Mayor and Council and Recreation Commission for the acknowledgement.

APPOINTMENT-HEALTH DEPARTMENT:

Mayor Schwager brought forth the nomination of Joseph Laterra for appointment to a three-year term on the Board of Health.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Joseph Laterra to a three-year term on the Board of Health. The term will expire December 31, 2022.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPOINTMENT-COMMUNICATIONS COMMISSION:

Mayor Schwager brought forth the nomination of Benjamin Good for appointment to a one-year term as junior member on the Communications Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Benjamin Good to a one-year term as junior member on the Communications Commission.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPOINTMENT-FLOOD COMMISSION:

Mayor Schwager brought forth the nomination of Stephen Farley for appointment to an unexpired term on the Flood commission.

Motion to Consent:

On motion of Councilman Levy, seconded by Councilman Pignatelli, the Council consented to the appointment of Stephen Farley to an unexpired term on the Flood Commission. The term will expire December 31, 2021.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

APPOINTMENT-RECREATION COMMISSION:

Mayor Schwager appointed Brian Hagerman to fill an unexpired term on the Recreation Commission. The term will expire December 31, 2020.

APPOINTMENTS-LIBRARY BOARD:

Mayor Schwager reappointed Ann Russo to a one-year term as Mayor's Alternate and reappointed Marilyn Vallone to a five-year term on the Library Board. The term will expire December 31, 2024.

APPOINTMENTS-OEM:

Mayor Schwager appointed Principal Sean Bove, Robert Jacod, and Joseph Tumminea as Board of Education representatives and appointed Stephen Tiffinger as Board of Health representative.

APPROVE RAFFLE LICENSE RL1382:

On motion of Councilman Pignatelli, seconded by Councilman Biale, approval be granted for Raffle License RL1382 for the Oakland-Franklin Lakes Rotary Club to hold an off-premise 50/50 raffle on June 30, 2020 at Portobello's, 155 Ramapo Valley Road.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-44 APPOINT DEPUTY BOROUGH CLERK

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

BE IT RESOLVED that Michael Carelli be appointed Deputy Borough Clerk at an annual stipend of \$ 5,000 effective January 1, 2020.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-45 AUTHORIZE CONTRACT-BOROUGH ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Borough Attorney** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Borough Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Attorney and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Brian M. Chewcaskie of the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Brian M. Chewcaskie and the firm of Cleary, Giacobbe, Alfieri, Jacobs, LLC to serve as the Borough Attorney for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Attorney be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount exclusive of work funded through applicants' escrow and Borough Capital Accounts, shall not exceed \$ 115,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that \$ 45,000 is available in Account # 0-01-20-155-027 (retainer) , \$ 50,000 is available in Account #0-01-20-155-028 (general legal services) and \$ 20,000 is available in Account # 0-01-55-904-001; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-46 AUTHORIZE CONTRACT-BOROUGH AUDITOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Auditor** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Borough Auditor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Auditor and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Gary Vinci of the firm of Lerch, Vinci & Higgins, LLP will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Mayor has nominated Gary Vinci and the firm of Lerch, Vinci & Higgins, LLP to serve as Borough Auditor for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Auditor be and is hereby appointed for the year 2020 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Auditor for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount, excluding work charged to the Borough's various Capital accounts set forth in their contract, shall not exceed \$37,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 0-01-20-135-028; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereto.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-47 AUTHORIZE CONTRACT-BOROUGH PLANNER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Planner** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Borough Planner; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Planner and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Steve Lydon of the firm of Burgis Associates will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Borough Council has nominated Steve Lydon and the firm of Burgis Associates to serve as Borough Planner for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Planner be and is hereby appointed for the year 2020 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Planner for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 8,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account# 0-01-20-165-022 ; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-48 AUTHORIZE CONTRACT-LABOR ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Labor Attorney** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Labor Attorney; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Labor Attorney and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Matthew J. Giacobbe of the firm of Cleary Giacobbe Alfieri Jacobs LLC will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Council has nominated Matthew J. Giacobbe and the firm of Cleary Giacobbe Alfieri Jacobs LLC to serve as the Borough's Labor Attorney for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Labor Attorney be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED, that compensation for said Labor Attorney for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 30,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 0-01-20-155-029; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-49 AUTHORIZE CONTRACT-BOND COUNSEL

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Bond Counsel** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Bond Counsel; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Bond Counsel and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Steven Rogut of the firm of Rogut McCarthy will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Steven Rogut and the firm of Rogut McCarthy to serve as the Borough's Bond Counsel for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Bond Counsel be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the CFO will certify to the availability of funds, said funds to be encumbered from various capital accounts pursuant to Section 20 of the Local Bond Law, prior to any payment; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-50 AUTHORIZE CONTRACT-RISK MANAGER-HEALTH BENEFITS
On motion of Councilman Pignatelli, seconded by Councilman Talamini, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Health Insurance for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Health Benefits and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that the firm of The Vozza Agency will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated the firm of The Vozza Agency to serve as the Risk Manager for Health Insurance for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that based on the current design of the Borough's Health Benefits program, compensation shall be as follows:

- The amount of \$ 38.46 per employee/retiree per month for medical and prescription coverage and \$ 4.87 per employee/retiree per month for dental coverage with payment being made to The Vozza Agency directly by the

Bergen Municipal Employee Benefits Fund.

- Commission on the Life premium of 7.5% with payment being made to the Vozza Agency by the carrier.
- Commission on the Short Term Disability Premium of 10% to be paid directly by the carrier.
- Commission on the Long Term Disability premium of 15% to be paid directly by the carrier.

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-51 AUTHORIZE CONTRACT-RISK MANAGER-PROPERTY & CASUALTY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Risk Manager; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Property Insurance, Liability Insurance and Workers Compensation- and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that the firm of Brown & Brown will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated the firm of Brown & Brown to serve as the Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract, and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2020 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the compensation to Brown & Brown shall be 6% of the Borough's Joint Insurance Fund Annual Assessment, as per the fund's by-laws, and payment shall be made to Brown & Brown directly by the Bergen County JIF; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-52 AUTHORIZE CONTRACT-BOROUGH PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Prosecutor** for 2019; and

WHEREAS, funds will be available by way of budget to compensate said Borough Prosecutor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Borough Prosecutor and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Andrew M. Cimiluca, P.C., will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Andrew M. Cimiluca, P.C. to serve as the Borough's Borough Prosecutor for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Prosecutor be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 19,350 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #0-01-25-275-021 ; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-53 AUTHORIZE CONTRACT-ALTERNATE PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of an **Alternate Borough Prosecutor** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Alternate Borough Prosecutor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select an Alternate Borough Prosecutor and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Andrew Roth of Giannantonio & Roth will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Andrew Roth to serve as the Borough's Alternate Borough Prosecutor for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Borough Prosecutor be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 1,350 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 0-01-25-275-021; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-54 AUTHROIZE CONTRACT-PUBLIC DEFENDER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Public Defender** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Public Defender; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select a Public Defender and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Dianne D'Allessandro will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Dianne D'Allesandro to serve as the Borough's Public Defender for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Public Defender be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 7,200 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #0-01-43-495-021; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-55 AUTHORIZE CONTRACT-ALTERNATE PUBLIC DEFENDER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Alternate Public Defender** for 2020; and

WHEREAS, funds will be available by way of budget to compensate said Alternate Public Defender; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the Borough did undertake a competitive process to select an Alternate Public Defender and solicited Requests for Qualifications in November 2019; and

WHEREAS, the applicants has submitted paperwork certifying that they have not made any disqualifying pay to play contributions pursuant to the Borough's Pay-to-Play Ordinance No.12-Code-669 adopted July 11, 2012; and

WHEREAS, the Borough's Review Team has determined that Sophy Sederat will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Sophy Sederat to serve as the Borough's Alternate Public Defender for the year 2020; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Public Defender be and is hereby appointed for the year 2020; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 3,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 0-01-43-495-021; and

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

BE IT FURTHER RESOLVED, that the Borough Clerk shall cause a notice of the adoption of this resolution be printed in a qualified newspaper within ten (10) days after passage hereof.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-56 AWARD BID-ACCESSORY GARAGE FIRE CO. 1

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

WHEREAS, bids were received on December 4, 2019 for the Fire Co. 1 Accessory Garage project; and

WHEREAS, Dutchman Contracting, LLC, submitted the lowest responsive and responsible bid with a total bid price of \$ 270,492 broken down as follows:

Base Bid	\$ 237,487
Alt. 1	\$ 33,005

WHEREAS, the Architect and Borough Attorney have reviewed the bids and recommend the bid award to Dutchman Contracting, LLC; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-04-56-761-400;

NOW, THEREFORE, BE IT RESOLVED, that the bid of Dutchman Contracting, LLC in the total amount of \$ 270,492 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: Yeas, Councilmembers Talamini, Pignatelli, Biale, Levy.
Abstain, Councilman Knapp.

RESOLUTION 20-57 AWARD BID-RECREATION EQUIPMENT

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

WHEREAS, the Borough of Oakland has a need to purchase a variety of recreational supplies and equipment throughout the year for the myriad of recreation programs provided to Oakland residents; and

WHEREAS, the Mayor and Council has determined it to be most cost effective to establish unit prices for equipment and supplies to purchase throughout the calendar year; and

WHEREAS, the Township of Wyckoff is the Lead Agency for Cooperative Pricing System Number 176-WCGCPS-WOLF Group; and

WHEREAS, this competitively bid procurement combines the purchasing volume for the WOLF Group and as such this procurement establishes unit prices for system members (Franklin Lakes, Oakland and Wyckoff); and

WHEREAS, a notice of bid specification availability was posted on November 22, 2019 on the Township's website, www.wyckoff-nj.com under "Bids & Jobs" easily accessed from the Home Page; and

WHEREAS, an advertisement for bid was published in the November 22, 2019 issue of the Ridgewood News; and

WHEREAS, bids were publicly opened and their contents read aloud on December 11, 2019 at 11:00 a.m. with the bid prices listed on the bid spread sheet reflecting the bid prices that is attached as if set forth at length; and

WHEREAS, following is a list of the vendors which provided the lowest responsive and responsible bids for individual unit prices on the items listed as recommended for an award by the Wyckoff Recreation Director; and

Bidder #1

BSN Sports

DBA/US Games

PO Box 49

Jenkintown, PA 19046

Item #'s:

15A,15Y,28A,28Y,35,37,38,41,42,43,44,45,53,54,55,56,57,58,59,61,62,63,64,65,66,69,70,71,72,73OFFICIAL,73Y,74,75,76,77,79A,79B,79C,80,81,82,83,89A,89B,95,99INTERMEDIATE,99Y,108,109,110,115B,117,118,119A,119Y,120,121,122,124,125,126,127,128,129A,129B,132A,132B,135,136,139,141,142,143,145,146,149,159A,159C,161A,161B,162A,162B,163,164,165,166,167,169,170,175,180,186A,190,191,197JR,197SR,198JR,198SR,199A,199B,199C,200JR,200SR,213,216A,216B,216C,235,

Total #'s: 108

Bidder # 2

East Coast Designs Unlimited

90 Columbus Avenue

Hasbrouck Heights, NJ 07604

Item #'s: 1 A, 1 A2XL,1 A3XL,1Y, 2A, 2 A2XL, 2 A3XL, 2Y, 19 A, 19 A3XL, 19 Y, 19 A 2XL, 20 A, 20 A2XL, 20 A3XL, 20Y, 26 A, 26 A2XL, 26 A3XL, 26Y, 30 A, 30 A2XL, 30 A3XL, 31 A, 31 A2XL, 31 A3XL, 32 A, 32 A2XL, 32 A3XL, 33A 33 A2XL, 33 A3XL, 34A

Total #'s: 33

Bidder #3

EJG Sports, LLC

246 Boulevard

Hasbrouck Heights, NJ 07604

Item #'s :

5A,5A2XL,5A3XL,5Y,6A,62XL,63XL,6Y,9A,9Y,12,14A,14Y,17A,17Y,18Y,18INTERMEDIA

TE,21A,21A2XL,21A3XL,21Y,36,96,97,98,130,134INTERMEDIATE,134L,
148A,148B,148C,189A,189C

Total #'s: 33

Bidder # 4

Metuchen Center, Inc.

10-12 Embroidery Street

Sayreville, NJ 08872

Item #'s: 1 AHW, 1 A2XLHW,1 A3XLHW, 1YHW, 3 A, 3Y, 4 A, 4 A2XL, 7 A, 7Y,
10Y,10A,11Y,11A,13,22A,22A2XL,22A3XL,22Y,23A,23A2XL,23 A3XL,24 A,
24 A2XL,24 A3XL, 25 A, 25 A2XL, 25 A3XL,27 A,27Y, 212 A, 212Y

Total #'s: 32

Bidder # 5

Pioneer Manufacturing

4529 Industrial Parkway

Cleveland, OH 44135

Item #'s: 131A,131B,131C,140,144, 214, 215

Total #'s: 7

Bidder # 6

R&R Trophy & Sporting Goods

155 Ridge Road

North Arlington, NJ 07031

Item #'s:

39,40,46,47,48,49,50,51,52,60,123,137,147A,147B,147C,150A,150B,150C,154A,154Y,155A15
5INTERMEDIATE,155Y,157A,157Y,158,160A,160B,160C,176,177,192,193,194,234

Total #'s: 35

Bidder #7

Riddell

7501 Performance Lane

North Ridgeville, OH 44039

Item #'s:

8A,8Y,68,78A,78B,78C,88A,88B,88C,89C,151XS,151S,151M,151L,151XL,152XS,152S,
152M,152L,152XL,1522XL,153Y,153A,156

Total #'s: 24

Bidder #8

S&S Worldwide

75 Mill Street

Colchester, CT 06415

Item #'s: 103,104,106,107,111,168,174,178,179,217

Total #'s: 10

Bidder #9

ZGI Industries, LLC

DBA Bob's Trophy/BT Specialties

127 Kinderkamack Road, Suite 2

Park Ridge, NJ 07656

Item#’s: 16A,16Y,29A,171,203,204,205,206,207,208,209,210,211,218

Total #’s 14

These recommendations are made on the basis of the low bid net unit price.

ITEM #	COMMENTS
1 Adult 2XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
1 Adult 3XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
2 Adult 2XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
2 Adult 3XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
16 Youth	Tie - awarded to vendor with lower price on adult sizes
33 Adult 2XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
33 Adult 3XL	awarded to low bidder on youth/adult sizes for ordering efficiency and color matching
154 YOUTH	*substitute not accepted as colors don't match existing, no sample provided
154 ADULT	*substitute not accepted as colors don't match existing, no sample provided
160A	*substitute not accepted as sample not provided
160B	*substitute not accepted as sample not provided
160C	*substitute not accepted as sample not provided

WHEREAS, the Chief Financial Officer has certified the availability of funds appropriated in the 2020 annual budget under the Recreation-Other Expenses budget.

WHEREAS, items 1A through I of Section 1 of the bid specification are referenced and applicable to this award authorization for the Township of Wyckoff as lead agency and the Borough of Franklin Lakes and the Borough of Oakland as participating members of this Cooperative Pricing System Procurement who shall be issuing their own purchase orders; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that they do hereby award contracts to ten (10) vendors for the individual bid unit items that they bid the lowest responsive and responsible individual bid unit prices in accordance with the Wyckoff Recreation Director’s December 17, 2019 recommendation attached as if set forth at length.

BE IT FURTHER RESOLVED that the Recreation Commission shall purchase the estimated recreation items at the awarded unit prices only and only those items required for the 2019 program. The Recreation Commission Chairman shall meet periodically throughout the year with the Recreation Directors of Franklin Lakes and Wyckoff to order common items, separately but at the same time for purchasing efficiencies.

BE IT FURTHER RESOLVED that the Municipal Clerk shall mail a certified copy of this resolution to the Franklin Lakes and Wyckoff Municipal Administrators for their use in performing these separate procurements.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-58 AUTHORIZE LICENSE BOROUGH PROPERTY

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

WHEREAS, the Borough has received a request to license Borough owned property adjacent to 42 Riverside Drive; and

WHEREAS, the Superintendent of Public Works and Zoning Officer have reviewed the request and they recommend the issuance of the license for the year 2020;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the Borough Clerk to issue a license for the Borough property adjacent to 42 Riverside Drive to Andrea Lewis, 42 Riverside Drive, subject to the rules and regulations specified in Resolution 20-20 adopted on January 8, 2020.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-59 AUTHORIZE RECREATION REFUND

On motion of Councilman Pignatelli, seconded by Councilman Talamini, 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 Rutgers Safety Course fees in the amount of \$ 40.00; 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:

Brenda Corrin Manzo, 7 Minsi Place, Oakland, NJ 07436 amount due \$ 40.00

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-60 HIRE SEASONAL SNOW PLOW EMPLOYEE

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

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

WHEREAS, the seasonal snow plow employee 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 23, 2020:

Tyler DelCorpo

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-61 RENEW SHARED SERVICE AGREEMENT-SLUDGE DISPOSAL
On motion of Councilman Pignatelli, seconded by Councilman Talamini, 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 2020 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 NBCUA shall maintained in the Borough Clerk's office.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-62 AMEND CONTRACT-ALLERMAN BROOK-AGNOLI ENGINEERING
On motion of Councilman Pignatelli, seconded by Councilman Talamini, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the Mayor and Council adopted Resolution 19-244 authorizing Agnoli Engineering for Phase B of Emergency Repairs to Allerman Brook; and

WHEREAS, the contract was awarded in an amount not to exceed \$ 11,500 broken down as follows:

Construction Inspection	\$ 7,500
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Soil Testing	\$ 4,000
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WHEREAS, the amount for Construction Inspection has exceeded the amount for Soil Testing and therefore the contract must be amended;

NOW, THEREFORE, BE IT RESOLVED that the amended breakdown for the contract is as follows:

Construction Inspection	\$ 8,647.50
Soil Testing	\$ 2,852.50

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-63 AWARD EMERGENCY CONTRACT-WATER MAIN REPAIR

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

WHEREAS, N.J.S.A. 40A:11-6 provides that a purchase, contract or agreement may be made, negotiated or awarded without public advertising for bids and bidding therefore, notwithstanding that the cost or contract price will exceed the amount set in the prevailing bidding threshold, when an emergency affecting the public health, or welfare requires the immediate delivery or performance of services provided:

A written requisition for the performance of such work or labor, or the furnishing of materials, supplies or service is filed with the contracting agent describing the nature of the emergency, the need for invoking this section, certified by the officer or director in charge of the department wherein the emergency occurred, or such other officer or employee as may be authorized to act in place of said officer or director, and the contracting agent in charge, being satisfied that the emergency exists, is hereby authorized to award a contract for said work or labor, materials, supplies or services; and

WHEREAS, according to information provided by Anthony Marcucilli, the Superintendent of Public Works, in a memo dated January 22, 2020, the transite water main and 8 inch mechanical cross in the intersection of Pawnee and Iroquois suffered a major break and damage on January 13, 2020 causing loss of service to area homeowners; and

WHEREAS, although the DPW was able to temporarily repair the break and restore service to homeowners, the nature of the repair resulted in dead-end water lines and low water pressure for homes in the area; and

WHEREAS, the low pressure was below the minimum of 25 PSI recommended by the AWWA and could affect our Fire Department's ability to safely fight fires within this service area; and

WHEREAS, this situation constitutes an emergency within the meaning of N.J.S.A. 40A:11-6 and must be addressed on an expedited basis; and

WHEREAS, three quotes were solicited and obtained as follows:

John Garcia Construction	\$ 42,925
DSM	\$ 51,724
Fitzpatrick	\$ 58,625

WHEREAS, the CFO has certified that funds are available in Account #C-06-56-683-400 in the amount of \$42,925;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby authorize the Purchasing Agent to issue a Purchase Order to John Garcia Construction Co. Inc., 183 Friar Lane, Clifton, NJ 07013 in the amount of \$ 42,925 for the emergency purchase described herein in accordance with N.J.S.A. 40A:11-6.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-64 AWARD CONTRACT-FLOODPLAIN MANAGER

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

WHEREAS, the Borough of Oakland is in need of the services of a Floodplain Manager for 2020; and

WHEREAS, Agnoli Engineering has submitted a proposal dated January 2, 2020 for the services required; and

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

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #0-01-20-165-100;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby award a contract to Agnoli Engineering in an amount not to exceed \$ 8,000; and

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-65 APPOINT SUMMER CAMP DIRECTOR

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

BE IT RESOLVED that Emily Smolenski be hired as the Summer Camp Director for 2020 at a salary of \$ 11,550 effective January 23, 2020.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-66 APPOINT OPEN CAMP DIRECTOR

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

BE IT RESOLVED that Lindsay Rock be hired as the Open Camp Director for 2020 at a salary of \$ 4,400 effective January 23, 2020.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-67 AWARD CONTRACT-TAX MAP MAINTENANCE

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

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

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

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Civil Solutions to provide 2020 Tax Map Maintenance services for the Borough; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # 0-01-20-150-104; and

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

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-68 AWARD CONTRACT-TAX APPEAL ASSISTANCE

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

WHEREAS, the Borough wishes to appoint an expert for 2020 Tax Appeal Assistance; and

WHEREAS, the Tax Assessor and Borough Administrator have recommended that Integra Realty Resources be retained to provide Tax Appeal Assistance, in accordance with their proposal; and

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to award a contract to Integra Realty Resources to provide 2020 Tax Appeal Assistance services for the Borough; and

WHEREAS, Integra Realty Resources will provide the services at a cost not to exceed \$ 20,000; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #0-01-55-904-001; and

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

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-69 AWARD CONTRACT-SPECIAL SEWER COUNSEL

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

WHEREAS, the Borough of Oakland is interested in pursuing discussion with the Northwest Bergen County Utilities Authority for sewer service; and

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

WHEREAS, the Borough has received a proposal from John Napolitano and the firm of Cleary, Giacobbe, Alfieri & Jacobs, LLC at a cost not to exceed \$20,000.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in account #0-01-20-155-028; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to John Napolitano of Cleary, Giacobbe, Alfieri and Jacobs, LLC in an amount not to exceed \$20,000.00; and

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

RESOLUTION 20-70 TRANSFER BUDGET APPROPRIATION RESERVES

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

WHEREAS, it has become necessary to expend funds in excess of the amounts approved in the Calendar Year 2019 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Calendar Year 2019 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of such funds between Appropriations Reserves during the first 3 months of the calendar year;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland, that based on the recommendation of the Chief Financial Officer, the following transfers be made to the Calendar Year 2020 Appropriations Reserves budget:

<u>Current Fund</u>		From	To
9-01-20-106-100	General Services – Misc	\$ 500.00	
9-01-20-130-042	Finance Professional Dvlpmnt	<u>\$ 1,000.00</u>	
Sub-total		\$ 1,500.00	
9-01-26-310-026	Bldg & Grnds Repairs & Maint		\$ 500.00
9-01-31-446-001	Natural Gas Public Bldgs		<u>\$ 1,000.00</u>
Sub-total			\$ 1,500.00

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

INTRODUCTION: ORDINANCE NO. 20-CODE-803 AFFORDABLE HOUSING SETTLEMENT

The Clerk was directed to take from table Ordinance No. 20-Code-803 and read by title for its first reading.

The Clerk then read by title Ordinance No.20-Code-803 entitled: " AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF OAKLAND, LAND USE, CHAPTER 59 ENTITLED "LAND USE AND ZONING"

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

BE IT RESOLVED that an Ordinance entitled, An Ordinance To Amend, Supplement And Revise The Code Of The Borough Of Oakland, Land Use, Chapter 59 Entitled "Land Use And Zoning", be introduced;

That said Ordinance be considered for final adoption at a meeting on February 26, 2020 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before January 27, 2020 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 Knapp, Talamini, Pignatelli, Biale, Levy.

INTRODUCTION: ORDINANCE NO. 20-BOND-804 SUPPLEMENTAL FUNDING-RADIO SYSTEM

The Clerk was directed to take from table Ordinance No. 20-Bond-804 and read by title for its first reading.

The Clerk then read by title Ordinance No.20-Bond-804 entitled: " CAPITAL ORDINANCE OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, NEW JERSEY PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$175,000 for ORDINANCE 17-BOND-761 AUTHORIZING VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN AND BY AND FOR THE BOROUGH, AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE FUND BALANCE OF THE GENERAL CAPITAL FUND OF THE BOROUGH.

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

BE IT RESOLVED that an Ordinance entitled, Capital Ordinance Of The Borough Of Oakland, In The County Of Bergen, New Jersey Providing A Supplemental Appropriation Of \$175,000 For Ordinance 17-Bond-761 Authorizing Various Public Improvements And The Acquisition Of New Communication And Signal Systems Equipment In And By And For The Borough, And Providing That Such Sum So Appropriated Shall Be Raised From The Fund Balance Of The General Capital Fund Of The Borough, be introduced;

That said Ordinance be considered for final adoption at a meeting on February 12, 2020 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before January 27, 2020 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 Knapp, Talamini, Pignatelli, Biale, Levy.

FINAL PUBLIC HEARING: ORDINANCE NO. 20-CODE-802

The Clerk was directed to take from the table Ordinance No.20 Code-802-and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled "ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XIII, SECTION 10 OF THE OAKLAND CODE, ENTITLED "FEE SCHEDULE" AND SECTION 13 ENTITLED "CHARGES AND FEES"

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by Councilman Levy, this portion of the meeting be open for public discussion.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

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

BE IT RESOLVED that an Ordinance entitled, Ordinance Amending And Supplementing Chapter Xiii, Section 10 Of The Oakland Code, Entitled "Fee Schedule" And Section 13 Entitled "Charges And Fees", be adopted;

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published by title in The Record in the manner provided by law.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

WORK SESSION

SHADE TREE LOGO CONTEST:

Councilman Levy advised that the Shade Tree Commission narrowed the choices to four. Discussion ensued over the various designs. The Council all consented to one design but they questioned whether all the details would be visible when the logo was shrunk down and put on letterhead. The Shade Tree Commission will see if they can shrink the logo.

REPLACE LADDER TRUCK:

Mr. Kunze explained that we are ready to order the ladder truck to replace the 2000 ladder truck currently in service. He explained we are using a national co-op to procure the truck at a cost of \$ 1.198 million which is within the amount of funding in place. A mandatory notice advising of the use of the national co-op has been placed in the paper and a resolution will be listed on the next agenda. Delivery will take between 210 and 270 days. Councilman Pignatelli commented that it is great that money was put aside each year so there is no real tax impact.

NEW BUSINESS:

Mayor Schwager advised she was approached by some residents who would like to do a modified version of Station Park. Councilman Levy explained that the residents want to construct a pocket park. He hopes there will be another grant round so we can do the entire park. This pocket park will start to make the area look nice. Mayor Schwager advised the residents are willing to put up a substantial amount of money. She thanked Mike Rose and Chopper Russo. She will set up a Station Park Ad-hoc committee. Councilman Levy advised all labor is going to be donated.

Mayor Schwager advised that the Borough is asking for donations for the Welcome to Oakland signs. Each sign will cost \$ 1,500.

COUNCIL REPORTS:

Councilman Talamini: The OCC thanks Michael Carelli for all his work on the Borough calendar. Volunteers are needed for the television and newsletter committees. The next meeting will be March 2nd at 7:30 pm. The Finance Committee will meet January 30th at 5:30 pm. Councilman Talamini missed the last Library Board meeting but the next meeting is February 13th.

Councilman Biale: The Senior line dancing class will take place Friday January 24th at 2 pm. There will be a presentation from the ShopRite nutritionist on January 30th at 12 pm. The weekly Monday movie for January 27th will be Moneyball. There will be a presentation on February 6th on How to Protect Assets. The casino trip was rescheduled to March 13th. There will be a presentation on March 5th by the County Clerk. The DPW is collecting Christmas trees until January 31st. The DPW Superintendent has been in touch with Rockland Electric over issues with the LED lights. The DPW is asking residents to place trash cans behind the curb line when snow is predicted. The DPW began their pothole repair program. They asked residents to report pothole locations. Since January 2nd, 180 potholes have been repaired. Councilman Biale spoke of an issue with a storm drain at Calumet Ave. The DPW had a crew there after 5 pm and the next day had the NWBCUA there. There was a log in the storm drain. Councilman Biale thanked the DPW for all they do.

Councilman Pignatelli: He attended the Board of Health meeting. He gave deepest thanks to Mary Ann West who served for 21 years and gave valuable insight to the Board of Health. She will be sorely missed. The Board of Health elected Stephen Tiffinger as President and Brian LaForgia as Vice President. There was no Green team meeting and no Environmental Commission meeting this month due to lack of quorum. The Styrofoam collection is for bulk Styrofoam only not food containers, packing peanuts or cups. He advised residents not to dump on the ground if the dumpsters are full. The wind blows it all on other people's property. Councilman Pignatelli thanked the First Aid Squad who just held their installation dinner. They thanked the residents for their support. The First Aid Squad is ordering a new ambulance which costs \$ 240,000. They responded to over 900 calls last year.

Councilman Levy: There will be a meeting on February 6th at 5:30 pm to discuss the Skyview treatment plant issues. The Borough will be installing a charcoal filtering device to eliminate odor problems. The Capital Projects Committee is putting together an alternate assessment of Patriot's Way Bridge because we don't agree with the State's findings. Borough engineer John Yakimik advised that this assessment will determine the most prudent way to rehabilitate the Bridge. Councilman Levy advised this is a major priority for this year. The Shade Tree logo contest came up with four designs that the Mayor and Council reviewed tonight. The Flood Commission will work with the CRS coordinator to maintain and increase the CRS Rating. Councilman Levy advised that people are cutting trees along the river and letting them fall in the river. The trees can be dangerous if they reach the flood gates.

Councilman Knapp: The Police did the Drive Sober or Get Pulled Over program from December 6th to 21st. They arrested ten impaired drivers. On December 20th, two recruits graduated from the Academy. No Shave November turned into Double Down December. The Police Department donated \$ 4,600 to the John Thayer Cancer Center in Hackensack. There were 449 motor vehicle details, 19 radar details, 8 traffic enforcement details and 690 summonses issued in December. The Police responded to 69 ambulance calls and 64 motor vehicle crashes. The Fire Department had 48 calls for 2,765 hours. For the year, the Fire Department had 390 calls and 11,845 hours. The First Aid Squad responded to 69 calls for 138 hours. For the year, they responded to 903 calls and donated 15,446 hours. Councilman Pignatelli advised that these volunteers leave their families to help others.

Mayor Schwager advised that Recreation baseball, softball and volleyball signups are ongoing. She advised residents not to miss the registration date or there will be a late fee. There will be a new lacrosse program for kindergarten through 2nd graders. Registration begins February 1st. The Recreation Commission will meet Monday January 27th at 7:30 pm for their Reorganization and 8:00 pm for the Regular meeting.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilman Biale, seconded by Councilman Levy, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

Jim Gaffney, 25 Lenape Lane, thanked the Fire Department and the residents of Oakland for the send off and well wishes for his daughter who is getting deployed to Afghanistan.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

BILLS TO BE PAID:

On motion of Councilman Talamini, seconded by Councilman Biale, 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 Knapp, Talamini, Pignatelli, Biale, Levy.

MEETING ADJOURNED:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the meeting be adjourned at 9:03 pm.

ROLL CALL: All yeas, Councilmembers Knapp, Talamini, Pignatelli, Biale, Levy.

Lisa M. Duncan

Lisa M. Duncan, Borough Clerk
February 12, 2020

Date Approved

Linda H. Schwager

Mayor Linda H. Schwager