

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 14, 2009

MOVE TO EXECUTIVE SESSION:

On motion of Councilwoman Marcalus, seconded by Councilman Burns, 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:
Negotiations, Litigation
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 Burns, Di Pentima, Marcalus, Pignatelli, Stagg.

Mayor Szabo entered the meeting at 7:43 pm.

Discussion ensued over DPW contract negotiations, library litigation and NJ Capital litigation.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Visconti, seconded by Councilman Pignatelli, the Executive Session be closed.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

MEETING CALLED TO ORDER: By Mayor Szabo at 8:02 pm.

ROLL CALL: Mayor Szabo called the meeting to order and the Clerk called the roll. Present: Mayor Szabo, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; James Mangin, CFO.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

MAYOR'S REPORT: Mayor Szabo welcomed everyone to the first meeting of the year. He looks forward to a challenging but rewarding and fruitful year. It will be a challenging year economically but this Governing Body has the experience to handle the challenge. The Governing Body will continue to scrutinize every budget line and get economies of scale when we can. Mayor Szabo is very happy that Oakland is working with Wyckoff and Franklin Lakes to share in purchases. Mayor Szabo called upon the community to consider volunteering. Volunteers are the backbone of the community. There are appointments open to fill especially in the Communications Commission. Mayor Szabo will attend various business forums and will share the information with the public. The challenge for the Governing Body is to stay on top of opportunities as they arise in order to get money back for Oakland.

OPENED FOR PUBLIC DISCUSSION:

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, this portion of the meeting be opened for public discussion.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

Jack Tauber, 152 Iroquois Avenue, asked how "green" Oakland has become. Mayor Szabo responded that he attended two excellent work sessions with the Environmental Commission to put in the process a green community for Oakland. The Mayors' Green Council put together a toolbox for municipalities to replicate in their community. The Borough of Oakland intends to become a green certified community in 2009. The Environmental Commission will hold a public forum that will be televised in March. We are looking to hold a green fair in April to hopefully coincide with Earth Day. With a green plan, certain activities have to take place. The best way for the Borough to handle this is through the Environmental Commission and through Councilwoman Stagg who is LEED certified. Mr. Tauber advised that the North Jersey Water Supply is putting out a bid for work on the dam. He hopes someone from the Flood Commission will oversee the project. Mr. Tauber asked if the school has the same contract for drug and alcohol testing for CDL holders so we could share with them. Mr. Kunze responded that the Borough's contract is through the Joint Insurance Fund that the Borough belongs to.

Charlie McCormack, 161 Manito Avenue, asked about consolidation of services with Franklin Lakes and Wyckoff. Mayor Szabo responded that as a result of the first meeting, there is a joint bid being put out for recreational equipment. The group will be looking at equipment and

personnel and whatever makes sense as an efficiency measure. Another meeting is scheduled for January 22nd. Mr. McCormack asked if Governor Corzine addressed the Mayors. Mayor Szabo responded that he will address the Mayors at the Mayors' Legislative Day. The League of Municipalities will filter his remarks to the Mayors. Mr. McCormack asked if discussions are being held regarding projects if Washington provides a bailout package. Mayor Szabo responded that the emphasis is on infrastructure projects. Mr. McCormack questioned if it is optimistic to hope that revenues remain flat. He questioned if the public should expect the budget process to be a long process. Mayor Szabo responded that the process will take a long time because of the State budget. The municipalities cannot adopt budgets until the State adopts their budget.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPROVAL OF MINUTES: DECEMBER 23, 2008

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council meeting of December 23, 2008 be approved.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPROVAL OF MINUTES: OCTOBER 15, 2008 EXECUTIVE SESSION

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of October 15, 2008 be approved.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
Abstain, Councilwoman Stagg.

APPROVAL OF MINUTES: NOVEMBER 12, 2008 EXECUTIVE SESSION

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of November 12, 2008 be approved.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
Abstain, Councilwoman Stagg.

APPROVAL OF MINUTES: NOVEMBER 25, 2008 EXECUTIVE SESSION

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of November 25, 2008 be approved.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
Abstain, Councilwoman Stagg.

APPROVAL OF MINUTES: DECEMBER 10, 2008 EXECUTIVE SESSION

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of December 10, 2008 be approved.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
 Abstain, Councilwoman Stagg.

APPROVAL OF MINUTES: DECEMBER 23, 2008 EXECUTIVE SESSION

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the minutes from the Mayor and Council Executive Session of December 23, 2008 be approved.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
 Abstain, Councilwoman Stagg.

Councilwoman Stagg explained that she arrives at Executive Session late due to her teaching schedule so it makes more sense to abstain from voting since she can only vote on part of the minutes.

APPOINTMENTS:

COUNCIL COMMITTEES:

On motion of Councilwoman Marcalus, seconded by Councilwoman Stagg, the following Council Committee assignments be made for 2009:

| | | |
|---|-----------------------|------------------------------------|
| Finance Committee | Chairperson Member | Frank Di Pentima Chris Visconti |
| Public Safety Committee Police-Fire-First Aid-Municipal Court | Chairperson Member | Pat Pignatelli Karen Marcalus |
| D.P.W. Committee Roads-Solid Waste-Recycling Building and Grounds | Chairperson Member | Chris Visconti Karen Marcalus |
| Water And Sewer | Chairperson Member | Elizabeth Stagg Donald Burns |
| Inter Governmental Relations/Administration | Chairperson Member | Frank Di Pentima Chris Visconti |
| Land Use Committee Planning & Board of Adjustment | Chairperson | Karen Marcalus |

Councilman Burns commented that normally a Council member is primary on one committee and a second on another committee. He commented that Councilwoman Stagg doesn't have a second assignment.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

COUNCIL LIAISONS:

On motion of Councilwoman Marcalus, seconded by Councilman Pignatelli, the following Council liaison assignments be made for 2009:

| | |
|----------------------------|------------------|
| Public Events | Frank Di Pentima |
| Environmental Commission | Elizabeth Stagg |
| Local and Regional Schools | Karen Marcalus |
| Senior Citizens Liaison | Karen Marcalus |
| Board of Health | Pat Pignatelli |
| Emergency Management | Pat Pignatelli |

| | |
|---------------------------|----------------------|
| Flood Commission | Elizabeth Stagg |
| Recreation Commission | Donald Burns |
| Municipal Alliance | Christopher Visconti |
| Communications Commission | Frank Di Pentima |
| Shade Tree Commission | Donald Burns |
| Downtown Improvement | Christopher Visconti |
| Library | Christopher Visconti |
| Historical Preservation | Elizabeth Stagg |
| Community Events | Frank Di Pentima |

Councilman Burns commented that the appointments for Emergency Management lists both Councilman Pignatelli and Councilwoman Marcalus as liaison and there should only be one Council liaison. Mayor Szabo commented that Councilwoman Marcalus would be an alternate.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

OFFICIAL NEWSPAPER:

On motion of Councilwoman Stagg, seconded by Councilman Visconti, the official newspaper for 2009 be The Record and the alternate newspaper be The Suburban Trends.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

PROFESSIONAL SERVICES:

Councilman Di Pentima advised that the Borough received many RFQ's for professional services. The RFQ's were reviewed by a committee made up of Mayor Szabo, Councilman Visconti and Councilman Di Pentima. The committee is recommending the appointment of the following professionals:

| | |
|-------------------------|-----------------------------|
| Attorney: | Brian Chewcaskie |
| Engineer: | Boswell McClave Engineering |
| Auditor: | Frank DiMaria |
| Planner: | Burgis Associates |
| Bond Council: | Rogut McCarthy |
| Water & Sewer Engineer: | Crew Engineering |
| Labor Attorney: | Matthew Giacobbe |
| Prosecutor: | Thomas Buonocore |
| Public Defender: | Robert Fortunato |

Councilman Di Pentima advised that interviews have been set up for Risk Manager and that recommendation will be ready for the next meeting.

MOTION TO APPOINT PROFESSIONAL SERVICES:

Mayor Szabo nominated the above-mentioned professionals to be appointed for 2009.

On motion of Councilman Di Pentima, seconded by Councilman Pignatelli, the Council consents to the appointment of the above-mentioned professionals for 2009.

Discussion ensued. Councilman Di Pentima advised that after discussion with the Committee and with the Borough Administrator and CFO, the decision was made to switch to Rogut McCarthy for bond counsel. They are a more service-oriented firm and this is a better move for the Borough. Councilman Visconti advised that the Borough received a lot of applications for the positions and they were reviewed thoroughly.

Councilwoman Stagg would like to pull the appointment of Borough Engineer at this time. Councilwoman Marcalus commented that she thought there were questions about the Planner. Mayor Szabo advised that Burgis Associates has been Planner for many years and he is satisfied with their performance. The Borough is knee-deep in COAH and Highlands issues right now. Councilwoman Marcalus commented that she thought the Borough hired the firms and not individuals. She was advised that certain appointments require appointing an individual from the firm. Borough Administrator Kunze advised that there will be resolutions to approve contracts for the January 28th meeting. Councilman Burns commented if the appointment of Engineer is pulled, that Boswell will be a carry-over.

Mayor Szabo asked for a vote on all appointments except for Engineer.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENT OF ENGINEER:

Councilwoman Stagg advised she felt that the Borough gave Boswell a second chance last year. She does not feel they have been responsive to the Borough. Mayor Szabo advised that the Committee met with Stephen Boswell and gave him a protocol of the Borough's expectations on how to handle projects. The Committee had a frank discussion with a principal of the firm on the problems that Councilwoman Stagg has raised. There may be changes in personnel assigned to the Borough as a result of our discussions. That does not mean if they don't meet expectations, they will not be replaced. Mayor Szabo advised he does not intend to give them a whole year. If there are failures in performance in the first quarter, there will be changes made. He asked the Council to support the appointment at this time.

Councilman Pignatelli commented that the Council was given a status report by Boswell. This is what the Council expects from them. He commented that the Borough does not have to give Boswell all the Engineering jobs-those jobs can be bid out. He would like to see an update on Boswell's performance in April. Mayor Szabo responded that Boswell is to provide a monthly report. Failure to provide that monthly report will be grounds for termination.

MOTION TO APPOINT:

Mayor Szabo nominated Stephen Boswell and Boswell McClave Engineering for the appointment of Borough Engineer for 2009.

On motion of Councilman Pignatelli, seconded by Councilman Di Pentima, the Council consents to the nomination of Stephen Boswell and Boswell McClave Engineering for the appointment of Borough Engineer for 2009.

ROLL CALL: Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Visconti.
Nay, Councilwoman Stagg.

APPOINTMENTS TO PLANNING BOARD:

Mayor Szabo made the following appointments to Planning Board:

| | | |
|--------------------|-----------------------|---|
| Class II Official | Dan Hagberg | 1-year appointment to expire Dec. 31, 2009 |
| Class IV Officials | Barry Colyer | 3-year appointment to expire Dec. 31, 2012 |
| | Christopher Baczewski | fill unexpired term to expire Dec. 31, 2010 |

Mayor Szabo advised that there are openings on the Planning Board.

APPOINTMENTS TO BOARD OF ADJUSTMENT:

Mayor Szabo nominated Kenneth Chadwick for reappointment as Alternate I for a two-year appointment and he nominated moving Robert Emmett Johnson from Alternate to a regular four-year appointment due to expire on December 31, 2012.

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, the Council consented to the nomination of Kenneth Johnson as Alternate I for a two-year appointment and Robert Emmett Johnson for a four-year appointment to the Board of Adjustment.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENTS TO BOARD OF HEALTH:

Mayor Szabo nominated Stephen Tiffinger, Andrew Davis and Roberta Wilgus to reappointments of three-year terms on the Board of Health due to expire on December 31, 2011.

On motion of Councilwoman Stagg, and Councilman Pignatelli, the Council consented to the appointments of Stephen Tiffinger, Andrew Davis and Roberta Wilgus to three-year appointments on the Board of Health.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENTS TO RECREATION COMMISSION:

Mayor Szabo appointed Michael Miner to fill a five-year appointment due to expire on December 31, 2013 and he reappointed Robert Scalabrini to a five-year appointment due to expire on December 31, 2013. Mayor Szabo advised there is still an opening for the unexpired term of Jeff Schwartz to be filled.

COMMUNICATIONS COMMISSION:

Mayor Szabo nominated Peter Foley and Peter Marcalus to reappointment for three-year terms on the Communications Commission due to expire on December 31, 2011.

On motion of Councilwoman Stagg, and seconded by Councilman Pignatelli, the Council consented to the appointment of Peter Foley and Peter Marcalus for three-year terms on the Communications Commission.

ROLL CALL: Yeas, Councilman Burns, Di Pentima, Pignatelli, Stagg, Visconti.
Abstain, Councilwoman Marcalus.

APPOINTMENTS TO EMERGENCY MANAGEMENT:

Mayor Szabo made the following one-year appointments to Emergency Management:

| | |
|--------------------|-------------------|
| Deputy Coordinator | Thomas Pianettini |
|--------------------|-------------------|

| | |
|----------------------------------|-----------------------------|
| Deputy Coordinator | Ed Proskey |
| Emergency Operations Coordinator | Robert DeBoer Sr. |
| Police Liaison | Chief Ed Kasper |
| Police Liaison | Sgt. Robert DeBoer |
| Fire Liaison | Chief Peter Sondervan |
| Fire Liaison | Asst. Chief Robert Knapp |
| Fire Liaison | Asst. Chief Patrick Kellett |
| Fire Department | Curt Leroy |
| First Aid Liaison | Captain Jeff Marcheso |
| First Aid Liaison | Lt. Dave Meyer |
| Mayor | Mayor John P. Szabo, Jr. |
| Council liaison | Councilman Pat Pignatelli |
| Council liaison (alt.) | Councilwoman Karen Marcalus |
| Borough Administrator | Richard Kunze |
| Shelter Coordinator | Sally Anne Pilcer |
| Construction Code Official | Dan Hagberg |
| DPW Superintendent | Anthony Marcucilli |
| DPW Foreman | Ray Fuller |
| DPW Equipment Operator | Jason Duncan |
| DPW Mechanic | Ed Bremer |
| Local Board of Education | Principal Glenn Clark |
| Local Board of Education | Robert Jacod |
| Local Board of Education | Joe Tumminia |
| Regional Board of Education | Principal Al Evangelista |
| Technology Resources | Erin Bauberger |
| Animal Rescue Coordinator | Tony Smid |
| Drill Coordination | Ed Tryon |
| Sara 3 Representative | Doug Brown |
| Local Resources | Dave Potash |
| Shelter and Special Needs | Don Broek |
| Technology Resources | Jane Madden |
| Board of Health | Ron Beattie |

APPOINTMENTS TO FLOOD COMMISSION:

Mayor Szabo nominated Ted O'Grady and Dot O'Connor for reappointment to three-year terms on the Flood Commission due to expire on December 31, 2011.

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

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENT TO LIBRARY BOARD:

Mayor Szabo nominated Theresa Kilday as Mayor's Alternate to the Library Board for a one-year appointment due to expire on December 31, 2009.

APPOINTMENT TO ENVIRONMENTAL COMMISSION:

Mayor Szabo nominated Lee Haymon and Erich Kamm to three-year appointments to the Environmental Commission due to expire on December 31, 2011 and Robert Akovity to a two-year appointment as Alternate I due to expire on December 31, 2010.

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, the Council consented to the appointments of Lee Haymon, Erich Kamm and Robert Akovity to the Environmental Commission.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENTS TO MUNICIPAL ALLIANCE:

Mayor Szabo appointed Jack Tauber as Chairman of the Municipal Alliance Committee and appointed the following members of the Committee for one-year terms to expire Dec. 31, 2009:

| | | |
|--------------------------|--|-----------------|
| Mayor | John P. Szabo, Jr. | Municipal Plaza |
| Councilman | Christopher Visconti | |
| Elementary Schools | Glenn Clark | Dogwood School |
| Heights Rep. | Tina Albrecht | |
| Chairman | Jack Tauber | |
| Police/D.A.R.E. | Edward Kasper Alternate: Mark Piercy | |
| Clergy | Nathan Busker | |
| At Large | Margaret Martin, R.N. | |
| At Large | Margaret Schad | |
| OLPH | Brian Salvatore | |
| At-Large | Don Grohs | |
| Indian Hills | Joe Collins, Asst. Principal Tom Kersting | |
| Valley Middle School | Liz Connolly | |
| Manito School PTO | Christine Halloran Alternate: Joan Megin | |
| R.I.H. Board of Ed Rep | Sadie Quinlan | |
| PTSO - IHHS | Judy Nies | |
| Valley Middle School PTO | Lorraine Knox Alternate: Lara Scolpino | |
| Dogwood PTA President | Donna Norton | |
| At Large | Anne Russo | |
| Secretary | Lisa Napolitano | |

APPOINTMENTS TO PUBLIC EVENTS COMMITTEE:

Mayor Szabo made the following appointments to the Public Events Committee for one-year terms due to expire December 31, 2009:

| | | |
|-----------------------|------------|-------------------------------------|
| Marjorie Angermueller | Peg Sumner | Frank Di Pentima Council Liaison |
|-----------------------|------------|-------------------------------------|

| | | |
|----------------------|------------------------|-------------------------|
| Jean Edwards | Andrea McGrath | Jack Ackerman-Am.Legion |
| Carmine Della Bruna | Irene May | Linda Giordano |
| Angelo Chiusano | Peter & Sheila Oprysko | Diane Lopez |
| Bob & Marie Fabrizio | Gerri Schrier | Jane Rutherford |

APPROVE RAFFLE LICENSE 1024:

On motion of Councilman Pignatelli, seconded by Councilwoman Marcalus, approval be granted for Raffle License RL1024 for Indian Hills High School PTSO to hold a 50/50 raffle on March 6, 2009 from 6 to 10 pm at Indian Hills High School.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPROVE RAFFLE LICENSE 1025:

On motion of Councilman Pignatelli, seconded by Councilwoman Stagg, approval be granted for Raffle License RL1025 for the Oakland-Franklin Lakes Rotary to hold a 50/50 raffle on June 9, 2009 at 8:00 pm at Portobello Restaurant, 155 Ramapo Valley Road.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

APPROVE RAFFLE LICENSE 1026:

On motion of Councilwoman Stagg, seconded by Councilwoman Marcalus, approval be granted for Raffle License 1026 for the Gerard Berman Day School to hold an off-premise raffle for merchandise on February 25, 2009 at the Gerard Berman Day School, 45 Spruce Street.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

CONSENT AGENDA: RESOLUTIONS 09-02 TO 09-21

On motion of Councilman Di Pentima, seconded by Councilwoman Marcalus, the following resolution be introduced, adopted and duly passed on 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 002 through 021, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 002 through 021 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. 002 through 021, as set

forth and attached hereto as if said Resolutions were singularly read and voted upon by the Mayor and Council.

CONSENT AGENDA

ROLL CALL: All Yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTIONS

- NUMBER 2 - RATE OF INTEREST ON DELINQUENT MUNICIPAL CHARGES
- NUMBER 3 - PETTY CASH FUNDS
- NUMBER 4 - SIGNATORIES - PAYROLL ACCOUNTS
- NUMBER 5 - OFFICIAL DEPOSITORY - MUNICIPAL COURT ACCOUNT
- NUMBER 6 - AUTHORIZATION INVEST BOROUGH FUNDS
- NUMBER 7 - SIGNATORIES - BANK ACCOUNTS
- NUMBER 8 - CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS DEPOSITORIES
- NUMBER 9 - OFFICIAL DEPOSITORY - LIEN REDEMPTION ACCOUNT
- NUMBER 10 - OFFICIAL BANKS DESIGNATED - ALL ACCOUNTS
- NUMBER 11- OFFICIAL DEPOSITORY - HEALTH BENEFIT CLAIMS ACCOUNT
- NUMBER 12- APPOINTING CERTIFYING OFFICERS
- NUMBER 13- CERTIFYING OFFICIAL - RAFFLES AND BINGO
- NUMBER 14- COOPERATIVE PURCHASING PROGRAM
- NUMBER 15- F.A.U.S. FUNDS (T.I.P.)
- NUMBER 16- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES
- NUMBER 17- JOINT INSURANCE FUND COMMISSIONER
- NUMBER 18- JOINT INSURANCE FUND ALTERNATE COMMISSIONER -CFO
- NUMBER 19- JOINT INSURANCE FUND SAFETY DELEGATE – EDWARD KASPER
- NUMBER 20- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – EDWIN KIMMEL
- NUMBER 21-PETTY CASH

**RESOLUTION NO. 2
RESOLUTION SETTING INTEREST AND PENALTIES
UNDER R.S. 54:4-67**

WHEREAS, R.S. 54:4-67 authorizes and permits a municipality to set penalties and rates of interest to be charged for non-payment of delinquent taxes and other municipal liens and charges: and

WHEREAS, it has been determined by the governing body that the fixing of such interest rates and penalties would be beneficial to the municipality:

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Oakland, County of Bergen, and State of New Jersey, that it does hereby fix the maximum allowed under R.S. 54:4-67 to be charged against all properties who become delinquent as defined under R.S. 54:4-66 and 67.

BE IT FURTHER RESOLVED, that the charges on account of delinquent properties as set forth herein remain in effect from January 1, 2009 until such time as the governing body adopts a new resolution setting forth new or different rates.

RESOLUTION NO. 3 PETTY CASH FUNDS:

BE IT RESOLVED that James Mangin, 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 2009, and

BE IT RESOLVED that James Mangin, 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 2009, and

BE IT RESOLVED that James Mangin, 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 2009, and

BE IT RESOLVED that James Mangin, Treasurer be and he is hereby authorized to draw a check in the amount of One Hundred Dollars (\$100.00) for the Petty Cash Fund of the Senior Citizen Department for the year 2009, and

BE IT RESOLVED that James Mangin, 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 Public Events for the year 2009, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2009.

RESOLUTION NO. 4

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

RESOLUTION NO. 5

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

THE MUNICIPAL COURT ACCOUNT AND MUNICIPAL COURT BAIL ACCOUNT
and

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

RESOLUTION NO. 6

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 2009 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. 7

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

CURRENT CHECKING
WATER CHECKING
WATER METER-DEPOSIT-CHECKING
CAPITAL CHECKING
WATER CAPITAL CHECKING
SEWER CHECKING
SEWER CAPITAL CHECKING
TRUST CHECKING
P.A.T.F. CHECKING (I and 11)
DOG CHECKING
BOND AND COUPON CHECKING
HEALTH BENEFITS CHECKING
SANITARY LANDFILL CHECKING

RESOLUTION NO. 8
CASH MANAGEMENT PLAN AND
INTEREST BEARING ACCOUNTS:

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2009 (copy attached after Resolutions) and:

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

VALLEY NATIONAL BANK, OAKLAND, NEW JERSEY
CHASE BANK., OAKLAND, NEW JERSEY
BANK OF AMERICA, OAKLAND, NEW JERSEY
HUDSON CITY SAVINGS BANK, OAKLAND, NEW JERSEY
TD BANK, OAKLAND, NEW JERSEY
STATE OF NEW JERSEY CASH MANAGEMENT FUND
COLUMBIA SAVINGS, OAKLAND, NEW JERSEY
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 or by telephone transfer with the authorization of the Treasurer to other appropriate Borough of Oakland accounts.

RESOLUTION NO. 9

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

LIEN REDEMPTION ACCOUNT and

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

RESOLUTION NO. 10

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

- THE METER DEPOSIT REFUND ACCOUNT
- THE ANIMAL CONTROL ACCOUNT
- THE ASSESSMENT TRUST ACCOUNT
- THE WATER CAPITAL ACCOUNT
- THE P.A.T.F. 1 AND 2 ACCOUNTS
- THE CAPITAL ACCOUNT
- TRUST CHECKING
- THE WATER ACCOUNT
- THE CURRENT ACCOUNT
- THE SEWER ACCOUNT
- LANDFILL CLOSURE ACCOUNT
- COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
- PAYROLL ACCOUNT
- PAYROLL AGENCY ACCOUNT
- STATE UNEMPLOYMENT INSURANCE ACCOUNT

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

RESOLUTION NO. 11(1) HEALTH BENEFITS CLAIMS ACCOUNT AND (2) DOG LICENSE CLERK ACCOUNT

BE IT RESOLVED that the Bank of America, Oakland office and 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 FURTHER RESOLVED that the Bank of N.Y., Oakland Office, be designated as the Official Depository of this Borough for the account known as:

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

THE DOG LICENSE CLERK ACCOUNT

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

RESOLUTION NO. 12
APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2009:

TAX SEARCH OFFICER, ELLEN AMORINO
ASSESSMENT SEARCH OFFICER, LISA DUNCAN
CERTIFYING AGENT FOR CIVIL SERVICE, BOROUGH ADMINISTRATOR
DEPUTY CERTIFYING AGENT FOR CIVIL SERVICE, DEBBIE KREBS
CERTIFYING AGENT FOR POLICE AND FIRE PENSION FUND, PUBLIC EMPLOYEES
RETIREMENT SYSTEM, BOROUGH ADMINISTRATOR.
DEPUTY CERTIFYING AGENT FOR POLICE AND FIRE PENSION FUND,
EMPLOYEES RETIREMENT SYSTEM, JERRI ANGERMUELLER

RESOLUTION NO. 13
CERTIFYING OFFICIAL - RAFFLES AND BINGO:

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

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

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

RESOLUTION NO. 14
COOPERATIVE PURCHASING PROGRAM

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

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

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

RESOLUTION NO. 15
FAUS

WHEREAS, in order to continue to be eligible for Federal Aid Urban System (FAUS) funds, the attached project must continue to be listed in the Bergen County Transportation Improvement Program (TIP) as compiled by the Bergen County Transportation Coordinating Committee (TCC) and approved by the Board of Chosen freeholders; and

WHEREAS, the Council of the Borough of Oakland desires to reaffirm its continuing support for the projects currently listed in the FY09 TIP.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Oakland hereby request the County of Bergen to continue to include the attached projects in the Bergen County Transportation Improvement Program (TIP) to be funded with FAUS funds; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Bergen County Planning Board.

RESOLUTION NO. 16

BE IT RESOLVED by the Mayor and Council of the Borough of Oakland tha 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. 17

JOINT INSURANCE FUND COMMISSIONER.

BE IT RESOLVED that the Borough Administrator be appointed Joint Insurance Fund Commissioner for the year 2009.

RESOLUTION NO. 18

JOINT INSURANCE FUND ALTERNATE COMMISSIONER

BE IT RESOLVED that the Chief Financial Officer be appointed Joint Insurance Fund Alternate Commissioner for the year 2009.

RESOLUTION NO. 19

JOINT INSURANCE FUND SAFETY DELEGATE – CHIEF EDWARD KASPER

BE IT RESOLVED that Chief Edward Kasper be appointed as Joint Insurance Fund Safety Delegate for the year 2009.

RESOLUTION NO. 20

JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – EDWIN KIMMEL

BE IT RESOLVED that Edwin Kimmel be appointed as Joint Insurance Fund Alternate Safety Delegate for the year 2009.

RESOLUTION 21

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 \$50.00. 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.

CASH MANAGEMENT PLAN OF THE BOROUGH OF OAKLAND,
IN THE COUNTY OF BERGEN, 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 |
|------------------------|

B. 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:

See Resolution 8 of Consent Agenda
of the first Council meeting of 2009.

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 2009

VI. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provided 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 insure 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, 2009 to December 31, 2009. 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.

RESOLUTION 09-22 TEMPORARY BUDGET

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

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

WHEREAS, the date of this resolution is within the first thirty days of calendar year 2009; and

WHEREAS, the total of the following 2009 temporary appropriations does not exceed 26.25% of the total appropriations in the 2008 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance.

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2009 appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

Current Fund

| | Salaries & Wages | Other Expenses |
|-------------------------|------------------|----------------|
| Administration | \$95,291.44 | \$18,320.66 |
| Communication Committee | | \$5,714.63 |
| Mayor & Council | \$11,044.69 | \$16,931.25 |
| Municipal Clerk | \$22,174.16 | \$4,959.94 |
| Elections | \$6,208.13 | |
| Finance | \$37,541.96 | \$6,273.76 |
| Audit | | \$9,712.50 |
| Tax Collection | \$21,568.31 | \$4,134.38 |
| Tax Assessment | \$27,758.78 | \$5,250.01 |
| Legal Services | | \$45,937.50 |

| | | |
|----------------------------------|------------------|----------------|
| Engineering | | \$7,875.00 |
| Planning Board | \$7,341.60 | \$5,617.50 |
| Board of Adjustment | \$3,708.86 | \$2,100.00 |
| Uniform Construction Code | \$50,202.87 | \$2,658.61 |
| Insurance | | \$711,102.79 |
| Police Dept. | \$924,780.94 | \$43,404.38 |
| 911 System | | \$3,675.00 |
| Emergency Management | \$1,443.75 | \$3,005.63 |
| Flood Control | \$1,050.00 | \$525.00 |
| <u>Current Fund</u> | | |
| | Salaries & Wages | Other Expenses |
| Contribution to First Aid Squad | | \$25,000.00 |
| Fire Dept. | \$11,482.81 | \$32,340.01 |
| LOSAP | | \$22,312.50 |
| Prosecutor | \$6,639.15 | |
| Streets & Roads | \$147,768.08 | \$51,555.00 |
| Shade Tree | | \$4,488.75 |
| Stormwater Management | | \$19,687.50 |
| Garbage & Trash Removal | \$18,637.50 | \$339,937.50 |
| Buildings & Grounds | \$47,349.49 | \$38,876.25 |
| Board of Health | \$14,482.39 | \$4,462.50 |
| Environmental Comm. | \$315.00 | \$199.50 |
| Recreation | \$37,679.25 | \$75,457.75 |
| Senior Citizens | \$13,592.25 | \$10,198.13 |
| Public Library | \$123,662.70 | \$108,504.37 |
| Celebration of Public Events | | \$4,147.50 |
| Electricity | | \$27,825.00 |
| Street Lighting | | \$36,750.00 |
| Telephone | | \$22,312.50 |
| Natural Gas | | \$10,762.50 |
| Gasoline | | \$47,250.00 |
| Contingent | | \$1,312.50 |
| PERS Pension | | \$210,355.00 |
| PFRS Pension | | \$556,270.00 |
| Social Security | | \$108,412.50 |
| NJ Motor Vehicle Services | \$29,400.00 | |
| Municipal Court | \$35,763.53 | \$3,517.51 |
| Public Defender | \$2,283.49 | |
| Bond Principal | | \$875,000.00 |
| Bond Interest | | \$261,960.00 |
| Note Interest | | \$153,730.81 |
| Green Trust Loan Prin & Interest | | \$21,291.00 |
| Capital Improvement Fund | | \$25,000.00 |
| Reserve for Uncollected Taxes | | \$158,949.56 |
| Total | \$1,699,171.13 | \$4,155,064.68 |
| Current Fund Total | | \$5,854,235.81 |

Water Utility

| | Salaries & Wages | Other Expenses |
|----------------------|------------------|------------------|
| Water Operations | \$133,958.48 | \$58,387.26 |
| Utilities | | \$71,925.01 |
| Insurance | | \$89,074.38 |
| Bond Principal | | \$360,000.00 |
| Bond Interest | | \$119,195.00 |
| Social Security | | \$11,812.50 |
| Total | \$133,958.48 | \$710,394.15 |
| Water Fund Total | | \$844,352.63 |

Sewer Utility

| | Salaries & Wages | Other Expenses |
|----------------------|------------------|-----------------|
| Sewer Operations | \$17,921.14 | \$35,740.43 |
| Utilities | | \$9,843.75 |
| Insurance | | \$18,027.19 |
| Social Security | | \$3,412.50 |
| Total | \$17,921.14 | \$67,023.87 |
| Sewer Fund Total | | \$84,945.01 |

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-23 ANNUAL STAFF APPOINTMENTS:

On motion of Councilman Di Pentima, seconded by Councilman Visconti, 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 2009:

| | |
|-----------------|----------------------|
| Deborah Krebs | Deputy Borough Clerk |
| Patricia Burns | Deputy Tax Collector |
| James A. Mangin | Treasurer |

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-24 POLICE DEPARTMENT ANNUAL APPOINTMENTS:

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

BE IT RESOLVED that, upon recommendation of Police Chief Kasper, the following appointments be made for the Police Department for 2009:

CROSSING GUARDS

| | | |
|--------------------|--------------------------|------------------------|
| Edward Ackerly | Cathy Carr | Cosimo Pelle |
| Klaus Angermueller | John Carr | Richard Pierce |
| Kenneth Axtell | Maryann Carroll (Sub) | John Plisich |
| William Bickford | Brenda DeBouter (Sub) | Jack Price |
| Philip Bowers | Debra DeYoung | Kelly Smith |
| Marisol Burgos | Marguerite Kazmier (Sub) | Loretta Shortman (Sub) |
| George Carlin | Cheryl McDonough (Sub) | Frank Vespoli (Sub) |

SPECIAL POLICE

Kate Foster

POLICE MATRON

Andrea Knapp

Jessica Ryan

Lynn Ver Hage

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-25 APPOINT PUBLIC AGENCY COMPLIANCE OFFICER:

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

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 2009.

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

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-26 APPOINT WATER & SEWER ACCOUNT CLERK:

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

BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that Nancy Lightbody is hereby transferred from her position of Clerk Typist in the Administration/Clerk's office to the position of Account Clerk in the Finance Office at a salary of \$ 36,500 effective January 12, 2009.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-27 AUTHORIZE CDL DRUG & ALCOHOL TESTING CONTRACT

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

WHEREAS, the Borough of Oakland wishes to enter into a Professional Services Contract with Connor Strong, 1701 Route 70 East, PO Box 1360, Cherry Hill, NJ 08034 in order to coordinate the Borough's 2009 CDL Random Drug & Alcohol Testing Program; and

WHEREAS, Connor Strong is experienced in and capable of providing such services; and

WHEREAS, Connor Strong has proposed a contract price of \$ 66.34 per participant for a total, not to exceed, amount of \$ 1,326.80 in accordance with Exhibits A & B of the contract; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in Account # 9-01-20-100-093; and

WHEREAS, it has been determined that the Contract for Professional Services may be awarded without competitive bidding, in accordance with the provisions of the Local Public Contracts Law of the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, County of Bergen, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to sign the aforementioned contract providing for the coordination of Alcohol and Drug Testing with COMMERCE NATIONAL RISK CONTROL SERVICES, for services for a one-year period, commencing January 1, 2009 to December 31, 2009.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-28 AUTHORIZE GRANT APPLICATION

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

WHEREAS, the New Jersey Highlands Water Protection and Planning Council (Highlands Council) has approved a 2009 Plan Conformance Grant Program for Highlands municipalities to fund Plan Conformance; and

WHEREAS, these grant funds will allow municipalities to engage their professionals to address Plan Conformance requirements; and

WHEREAS, the grant does not require matching funds and the aforesaid project is in the best interest of the people of the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Oakland hereby authorizes the application to the Highlands Council of the 2009 Plan Conformance Grant in an amount no less than \$ 50,000 and no greater than \$ 100,000 based on final price estimates developed by the Borough Planner.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-29 CANCEL CREDIT BALANCES

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

WHEREAS, there are odd and small credit balances in taxes on various parcels of property in the Borough of Oakland which are less than \$10.00 each; and

WHEREAS, by Statute (N.J.S.A. 40A:5-17.1) such taxes may be canceled; and

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed credit balances for the years 2008;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following credit balances for 2008 as listed below:

CREDIT BALANCES

| <u>Block</u> | <u>Lot</u> | <u>Qual</u> | <u>Amount</u> |
|--------------|------------|-------------|---------------|
| 1103 | 3 | | \$7.67 |
| 1606 | 33 | | 3.27 |
| 1701 | 1 | | 1.24 |
| 2001 | 28 | | .44 |
| 2004 | 10 | | 5.00 |
| 2201 | 2 | | .40 |
| 2201 | 7 | | .02 |
| 2703 | 1 | C00D8 | .01 |
| 2801 | 4 | | .02 |
| 3703 | 82 | | .01 |
| 3801 | 29 | | .01 |
| 3903 | 42.03 | | .01 |
| 3903 | 42.22 | | .01 |
| 3903 | 42.51 | | .29 |
| 3907 | 7 | | 1.23 |
| 4401 | 20.01 | | 4.51 |
| 4401 | 29 | | .01 |
| 4502 | 15 | | .01 |
| 4602 | 35 | | .15 |
| 4804 | 20 | | .01 |
| 4905 | 8 | | .01 |
| 5002 | 30 | | 5.77 |
| 5203 | 18 | | .01 |
| 5301 | 10 | | .01 |
| 5303 | 11 | | .17 |
| 5501 | 22 | | .01 |
| Total | | | \$ 30.30 |

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-30 CANCEL DEBIT BALANCES

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

WHEREAS, there are odd and small debit balances in taxes on various parcels of property in the Borough of Oakland which are less than \$10.00 each; and

WHEREAS, by Statute (N.J.S.A. 40A:5-17.1) such taxes may be canceled; and

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed debit balances for the year 2008.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following debit balances for 2008 as listed below:

DEBIT BALANCES

| <u>Block</u> | <u>Lot</u> | <u>Qual</u> | <u>Amount</u> |
|--------------|------------|-------------|---------------|
| 103 | 5 | | 4.73 |
| 201 | 8 | | 2.19 |
| 402 | 47 | | 1.00 |
| 802 | 92 | | .09 |
| 1001 | 5 | | 1.00 |
| 1101 | 15 | | .01 |
| 1202 | 5 | | .84 |
| 1602 | 1 | | 1.00 |
| 1607 | 8 | | .81 |
| 2703 | 1 | C00M7 | 7.23 |
| 2703 | 2 | | .01 |
| 3501 | 13 | | .51 |
| 3703 | 77 | | 2.40 |
| 3801 | 8 | | .01 |
| 4202 | 1 | QFARM | .03 |
| 4202 | 2 | QFARM | .07 |
| 4202 | 3 | QFARM | .02 |
| 4306 | 4 | | .01 |
| 4402 | 36 | | .01 |
| 4501 | 3 | | .59 |
| 4501 | 10 | | 6.03 |
| 4504 | 2 | | 7.89 |
| 4507 | 44 | | .19 |
| 4601 | 22 | | .06 |
| 4602 | 20 | | .01 |
| 4804 | 34 | | .04 |
| 5004 | 13 | | .06 |
| 5102 | 10 | | .58 |

| | | |
|------|----|-----|
| 5202 | 20 | .01 |
| 5204 | 14 | .01 |
| 5301 | 25 | .52 |
| 5303 | 16 | .01 |
| 5504 | 24 | .01 |
| 5604 | 9 | .01 |
| 5606 | 8 | .21 |
| 5701 | 1 | .04 |

TOTAL \$ 38.24

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 09-31 TRANSFERS TO 2008 BUDGET

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

WHEREAS, it has become necessary to expend funds to pay claims incurred in the previous year in excess of the amounts approved in the Fiscal 2008 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in the Fiscal 2008 budget of the Borough of Oakland; and

WHEREAS, N.J.S.A. 40A:4-59 permits the transfer of appropriation reserves during the first three months of the fiscal 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, that the following transfers be made to the Fiscal 2008 Current Fund budget:

Current Fund

| Account # | Description | From | To |
|------------------|--|-----------------|-----------|
| 8-01-20-110-042 | Mayor & Council – Professional Development | \$2,000 | |
| 8-01-20-120-011 | Municipal Clerk – Salaries | 1,000 | |
| 8-01-20-145-105 | Tax Collector – Tax Bills | \$1,000 | |
| 8-01-20-165-100 | Engineering | \$2,000 | |
| 8-01-25-240-010 | Police – Salaries | \$8,000 | |
| 8-01-26-290-058 | Streets & Roads – Road Maint Material | \$8,000 | |
| 8-01-31-446-001 | Natural Gas | \$3,100 | |
| Sub-total | | \$25,100 | |
| 8-01-22-195-011 | Uniform Construction Code – Salaries & Wages | | \$ 2,100 |

Councilwoman Marcalus questioned what the Borough's obligation is. Councilman Pignatelli responded that our obligation is to provide immunizations to the children that cannot afford it. Mr. Kunze advised that anyone who does not have coverage can make use of the well-baby clinic. He advised the resolutions will be listed on the January 28th meeting for action.

REQUEST TO ASSIGN STREET NUMBERS

The Tax Assessor has requested approval to assign street numbers. Councilman Di Pentima advised that Mr. Holzhauer is already doing the work. Mayor Szabo responded that since the Assessor is already doing the work, the Council should formally authorize it. This will be listed on the January 28th agenda for action.

NEW BUSINESS:

Councilman Di Pentima commented that the Communications Commission would be fine with a change in the meeting time for Mayor and Council meetings. Mayor Szabo commented that the proposal is to begin Executive Session at 7:00 pm and begin the Council meeting at 7:30 pm. Councilman Burns is opposed because if there is a long Executive Session, it will be split. He thinks Executive Session is important. Councilman Burns suggested another option would be to begin Executive Session at 7:30 pm and the Council meeting at 8:00 pm. Then we could advertise to begin Executive Session at 7:00 pm if needed. Councilwoman Marcalus stated that we usually know in advance what the length of Executive Session would be. Why couldn't we advertise to start at 6:30 pm if necessary. Mayor Szabo asked that this issue be revisited at the next meeting.

Councilman Pignatelli commented that the Mayor should set up a Committee to come up with a list of public works project in case money becomes available from Washington. Mayor Szabo advised that each liaison should come up with a list of projects for their departments. Mr. Kunze advised that he has had preliminary discussions with DPW, Water & Sewer and the Engineer. Mr. Kunze could sit down with Department heads to come up with a list.

COUNCIL REPORTS:

Councilman Pignatelli: He attended an OEM meeting in Wyckoff where they discussed a POD. The State and the CDC would like the County to distribute medications to 934,000 people with two distribution points. The Oakland representatives agreed that it would be better to have our own POD in Oakland. It was recommended to have 15 volunteers to distribute medication. There will be another meeting to discuss this. Councilman Pignatelli advised that the Police had 668 calls in December and the First Aid Squad had 51 calls in December.

Councilman Di Pentima- No report.

Councilman Burns: The Shade Tree Commission meets at the beginning of the month. Oakland was awarded the Green Communities grant for a forestry plan. Rockland Electric removed three trees. The Shade Tree Commission sent the paperwork in for recertification of Tree City USA status. The Commission issued 288 permits and collected \$ 7,267 in fees. They planted between 40 and 50 trees in the right of way. There was a question about what the trust fund money could be used for. The Arbor Day Foundation will be sending an Elm tree for the Borough. The Commission is looking for a place to put the tree. They would like to plant it on the Raymond property. Councilman Burns commented he is surprised by the Council assignments. He thought everyone was supposed to have a primary committee assignment according to the bylaws and he has none.

Councilman Pignatelli advised there is still time to get a flu shot from the Bergen County Department of Health.

Councilwoman Stagg: The Flood Commission met. The Chamber of Commerce is planning a green forum on February 23rd at the Library.

Councilman Visconti: He advised that Councilwoman Stagg will be the guest speaker at the Chamber's green forum. He advised that the Library circulation is up 14% in 2008. The Library is organizing a book club.

Councilwoman Marcalus: The Planning Board meets on January 22nd at 7:30 pm. The Senior Center will hold a movie on January 15th and game day on January 29th.

BILLS TO BE PAID:

On motion of Councilman Di Pentima, seconded by Councilwoman Stagg, 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 Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the meeting be adjourned at 9:50 pm.

ROLL CALL: All yeas, Councilmembers Burns, Di Pentima, Marcalus, Pignatelli, Stagg, Visconti.

Lisa M. Duncan, Borough Clerk
February 24, 2009

Mayor John P. Szabo, Jr.

Date Approved