

## **RESOLUTION: CONSENT AGENDA**

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 029, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 002 through 029 inclusive have been distributed to the Mayor and all Councilmembers and all having approved and consented to their adoption in this form.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that they hereby unanimously adopt Resolutions No. 001 through 028, 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 Biale, Coira, Knapp, Kulmala, Talamini, 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 DEPOSITORIES DESIGNATED  
NUMBER 10- APPOINTING CERTIFYING OFFICERS  
NUMBER 11- CERTIFYING OFFICIAL - RAFFLES AND BINGO  
NUMBER 12- COUNTY COOPERATIVE PURCHASING PROGRAM  
NUMBER 13- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES  
NUMBER 14- JOINT INSURANCE FUND COMMISSIONER  
NUMBER 15- JOINT INSURANCE FUND ALTERNATE COMMISSIONER -CFO  
NUMBER 16- JOINT INSURANCE FUND SAFETY DELEGATE – EDWARD KASPER  
NUMBER 17- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – JASON  
DUNCAN  
NUMBER 18-PETTY CASH  
NUMBER 19-TAX REFUNDS  
NUMBER 20-ACCELERATED TAX SALE  
NUMBER 21 -LICENSE BOROUGH PROPERTY  
NUMBER 22- PUBLIC AGENCY COMPLIANCE OFFICIAL  
NUMBER 23-POLICY REGARDING GOVERNING BODY TRAINING  
NUMBER 24-RETIREE INSURANCE RATES  
NUMBER 25-APPOINT BMED COMMISSIONER  
NUMBER 26-FACILITY USE POLICY  
NUMBER 27-ATTENDANCE POLICY  
NUMBER 28-SURPLUS POLICY  
NUMBER 29-EMERGENCY PURCHASES

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

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

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

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

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

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

RESOLUTION NO. 3 PETTY CASH FUNDS:

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Borough Clerk for the year 2017, and

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Department of Public Works for the year 2017, and

BE IT RESOLVED that Donna Mollineaux, Treasurer, be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Police Department for the year 2017, and

BE IT RESOLVED that Donna Mollineaux, Treasurer be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Senior Citizen Department for the year 2017, and

BE IT RESOLVED that Donna Mollineaux, Treasurer be and she is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Fire Department for the year 2017, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2017.

RESOLUTION NO. 4

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

RESOLUTION NO. 5

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

THE MUNICIPAL COURT ACCOUNT AND MUNICIPAL COURT BAIL ACCOUNT  
and

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

RESOLUTION NO. 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 2017 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	FEDERAL/STATE GRANTS
WATER CHECKING	OPEN SPACE TRUST
CAPITAL CHECKING	PAYROLL AGENCY
WATER CAPITAL CHECKING	PAYROLL ACCOUNT
SEWER CHECKING	AFFORDABLE HOUSING TRUST
TRUST CHECKING	UNEMPLOYMENT TRUST
ANIMAL CONTROL CHECKING	MUNICIPAL COURT REFUND
HEALTH BENEFITS CHECKING	CLAIMS ACCOUNT
SANITARY LANDFILL CHECKING	
SEWER CAPITAL CHECKING	FEDERAL/STATE GRANTS

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

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2017 (copy attached after Resolutions) and:

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

VALLEY NATIONAL BANK, OAKLAND, NEW JERSEY  
CHASE BANK., OAKLAND, NEW JERSEY  
BANK OF AMERICA, OAKLAND, NEW JERSEY  
M & T, OAKLAND, NEW JERSEY  
TD BANK, OAKLAND, NEW JERSEY  
STATE OF NEW JERSEY CASH MANAGEMENT FUND  
COLUMBIA SAVINGS, OAKLAND, NEW JERSEY  
UNION CENTER NATIONAL BANK, OAKLAND, NEW JERSEY  
LAKELAND BANK, OAK RIDGE, NEW JERSEY  
and

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

RESOLUTION NO. 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 Lidia Leszczynski, Tax Collector, is the Custodian of said account and the signatures of the CFO, Tax Collector and Borough Clerk be filed with the Bank for the signing of checks.

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

THE ANIMAL CONTROL ACCOUNT  
THE WATER CAPITAL ACCOUNT  
THE CAPITAL ACCOUNT  
TRUST CHECKING  
THE WATER OPERATING ACCOUNT  
THE CURRENT ACCOUNT  
THE SEWER OPERATING ACCOUNT  
LANDFILL CLOSURE ACCOUNT  
COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT  
PAYROLL ACCOUNT

PAYROLL AGENCY ACCOUNT  
STATE UNEMPLOYMENT INSURANCE ACCOUNT  
SEWER CAPITAL ACCOUNT  
FEDERAL/STATE GRANTS ACCOUNT  
FLEXIBLE SPENDING  
UNEMPLOYMENT TRUST  
OPEN SPACE TRUST  
AFFORDABLE HOUSING  
DPW PETTY CASH  
MUNICIPAL CLERK PETTY CASH  
POLICE PETTY CASH  
SENIOR CENTER PETTY CASH  
CLAIMS ACCOUNT

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

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

HEALTH BENEFITS CLAIMS ACCOUNT; and

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

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

THE ANIMAL CONTROL ACCOUNT

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

RESOLUTION NO. 10  
APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2017:

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

RESOLUTION NO. 11  
CERTIFYING OFFICIAL - RAFFLES AND BINGO:

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

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

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

**RESOLUTION NO. 12**

**COUNTY COOPERATIVE PURCHASING PROGRAM**

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

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

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

**RESOLUTION NO. 13**

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

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

**RESOLUTION NO. 14**

**JOINT INSURANCE FUND COMMISSIONER.**

BE IT RESOLVED that the Borough Administrator be appointed Joint Insurance Fund Commissioner for the year 2017.

**RESOLUTION NO. 15**

**JOINT INSURANCE FUND ALTERNATE COMMISSIONER**

BE IT RESOLVED that the Chief Financial Officer be appointed Joint Insurance Fund Alternate Commissioner for the year 2017.

**RESOLUTION NO. 16**

**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 2017.

**RESOLUTION NO. 17**

**JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – JASON DUNCAN**

BE IT RESOLVED that Jason Duncan be appointed as Joint Insurance Fund Alternate Safety Delegate for the year 2017.

**RESOLUTION 18**

**BOROUGH OF OAKLAND  
PETTY CASH POLICY**

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

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

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

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

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

**RESOLUTION 19:**

**PROCESSING OF TAX REFUNDS**

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

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

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

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

RESOLUTION 20:  
ACCELERATED TAX SALE

BE IT RESOLVED that the Collector of Taxes for the Borough of Oakland is hereby authorized to conduct an Accelerated Tax Sale for delinquent taxes for the calendar year 2017.

RESOLUTION 21:  
LICENSE BOROUGH PROPERTY

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

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

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

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

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

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



- No fencing shall be place on the property;
- No paving of the property;
- The property owner shall be current on taxes and have no outstanding violations for property maintenance, zoning or health;
- Any additional regulations that the Mayor and Council may impose on a case by case basis, at its discretion.

#### RESOLUTION NO. 22

##### APPOINT PUBLIC AGENCY COMPLIANCE OFFICIAL

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoints Borough Administrator Richard S. Kunze to serve as its public agency compliance officer for the year 2017.

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

#### RESOLUTION 23

##### POLICY REGARDING GOVERNING BODY TRAINING

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

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

#### RESOLUTION 24

##### RETIREE INSURANCE RATES

BE IT RESOLVED that the following monthly premiums are to be charged retirees who participate in the Borough's Health Benefits program, in accordance with the various prior and current labor agreements, effective January 1, 2017:

##### Borough of Oakland

##### Monthly Retiree Insurance Rates

2017

	Medical Traditional	Medical PPO	Medical Direct 10	Rx \$1	Rx \$3/\$5	Rx \$5/\$10	Rx PPO \$10/\$20	Rx Traditional \$10/\$20	Rx \$10/\$25/\$40	Dental	Vision
Single, No Medicare	1,380	1,211	1,111	379	371	270	252	338	219	68.50	13.75
P/C, No Medicare	1,931	1,695	1,555	532	521	379	356	475	307	130.17	20.06
H/W, No Medicare	3,006	2,638	2,422	827	814	591	553	741	478	123.25	30.23

Family, No Medicare	3,418	3,001	2,753	940	924	672	629	841	545	208.92	36.58
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**Medicare Advantage Rates**

	Medical			Rx \$1	Rx \$3/\$5			Rx \$10/\$20	Rx \$10/\$25/\$40
Single, Medicare 1	581			379	348			217	187

**Borough of Oakland**

**Annual Retiree Insurance Rates**

**2017**

	Medical Traditional	Medical PPO	Medical Direct 10	Rx \$1	Rx \$3/\$5	Rx \$5/\$10	Rx PPO \$10/\$20	Rx Traditional \$10/\$20	Rx \$10/\$25/\$40	Dental	Vision
Single, No Medicare	16,560	14,532	13,332	4,548	4,452	3,240	3,024	4,056	2,628	822	165
P/C, No Medicare	23,172	20,340	18,660	6,384	6,252	4,548	4,272	5,700	3,684	1,562	241
H/W, No Medicare	36,072	31,656	29,064	9,924	9,768	7,092	6,636	8,892	5,736	1,479	363
Family, No Medicare	41,016	36,012	33,036	11,280	11,088	8,064	7,548	10,092	6,540	2,507	439

**Medicare Advantage Rates**

	Medical			Rx \$1	Rx \$3/\$5			Rx \$10/\$20	Rx \$10/\$25/\$40
Single, Medicare 1	6,972			4,548	4,176			2,604	2,244

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

**RESOLUTION 25**

**APPOINT BMED COMMISSIONER**

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

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

NOW, THEREFORE BE IT RESOLVED, that Richard Kunze be and is hereby appointed as Fund Commissioner to the Bergen Municipal Employee Benefits Fund, effective January 1, 2017, to represent the Borough of Oakland; and

BE IT FURTHER RESOLVED that Donna Mollineaux be and is appointed as Alternate Fund Commissioner to the Bergen Municipal Employee Benefits Fund effective January 1, 2017.

## RESOLUTION NUMBER 26

### RECREATION FACILITY USE POLICY

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

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

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

#### **A. Priority of Use**

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

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

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

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

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

**C. Conflict.**

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

**RESOLUTION NUMBER 27**

**ATTENDANCE POLICY**

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

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

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

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

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

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

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

- Consistent with the provisions of N.J.S.A. 40A:16-3 and 40A:9-12.1, the office of the Mayor or the member of Council or any person appointed to any board, committee, commission, authority or other agency shall be deemed vacant if such individual fails to attend and participate at meetings of such body for a period of eight (8) consecutive weeks or for four (4) consecutive regular

meetings, whichever shall be of longer duration without being excused by a majority of the authorized members of such body.

- The Mayor and Council and all boards, committees, commissions, authorities and agencies shall consider, but not be limited to the following in order to determine an excused absence:

Illness  
Vacation  
Business obligations

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

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

#### RESOLUTION NO. 28 SURPLUS POLICY

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

WHEREAS, after careful consideration the Mayor and Council has determined that the fund balance on January 1 of any given year should be between 15 percent and 20 percent of the previous year's operating budget net of non-cap operations, grants, capital, debt service, deferred charges and the reserve for uncollected taxes; and

WHEREAS, the Borough of Oakland desires to establish an appropriate strategy if the fund balance drops below the 15 percent minimum or exceeds the 20 percent maximum.

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

1. The fund balance on January 1 of any given year should be between 15 percent and 20 percent of the previous year's operating budget net of non-cap operations, grants, capital, debt service, deferred charges and the reserve for uncollected taxes;
2. If the fund balance drops below the 15 percent minimum, the Governing Body shall take such action, aided by an economic plan developed by the Chief Financial Officer and Borough Administrator to restore the fund to the acceptable level within two (2) years.

3. The Chief Financial Officer and Borough Administrator shall devise an economic plan to be submitted to the Finance Committee from a mixture of the following elements designed to restore the fund balance:
  - a. Decrease the amount of surplus anticipated in the current and/or succeeding year's budget;
  - b. Increase the amount appropriated for the reserve for uncollected taxes;
  - c. Reduce the amount of appropriation reserves for salaries and wages transferred at year-end to the Accumulated Absence Trust, provided the Trust is at least 50 percent funded;
  - d. Reduce certain items of Miscellaneous Revenue in the current and/or succeeding year's budget;
  - e. Any other step designed to result in a replenishment of surplus regenerated.
4. If the fund balance exceeds the 20 percent maximum of the previous year's operating budget, the portion over the ceiling limit shall be added to the amount of surplus anticipated in the current fund budget and specifically ear-marked to reduce short-term debt over the amount that would have been appropriated and/or to increase the expenditure for the Capital Improvement Fund over the amount that would have otherwise been appropriated and /or to increase expenditures to various trust and reserve accounts to ensure they are adequately funded.
5. After the Annual Financial Statement has been filed, the Chief Financial Officer shall report to the Borough Administrator and Finance Committee on the status of the fund balance as it relates to this policy, which report shall be considered during budget deliberations.

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

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

#### RESOLUTION NO. 29 POLICY GOVERNING EMERGENCY PURCHASES

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

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

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

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

**A. POLICY GOVERNING EMERGENCY PURCHASING PROCEDURES**

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

**B. PROCEDURE FOR THE DECLARATION OF AN EMERGENCY**

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

1. Chief Financial Officer

2. Borough Clerk
3. Chief of Police
4. Superintendent of Public Works
5. Borough Attorney

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LINDA H. SCHWAGER, MAYOR

ATTEST:

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LISA M. DUNCAN, BOROUGH CLERK

Date Adopted: January 11, 2017

	Motion	Second	Ayes	Nays	Abstain	Absent
Biale						
Coira						
Knapp						
Kulmala						
Talamini						
Visconti						
Mayor Schwager						



**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.

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All Funds and Accounts

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- B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough of Oakland, specifically:

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Developers’ Escrow Account

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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:

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See Resolution 9 of Consent Agenda  
of the first Council meeting of 2017.

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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 2017

VI. **AUTHORIZED INVESTMENTS.**

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

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

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

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

- a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and

repurchase agreements that are collateralized by such U.S. Government Securities;  
and

c) which has:

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

**Local Government Investment Pool.** An investment pool:

- a) which is managed in accordance with 17 C.F.R. sec.270.2a-7;
- b) which is rated in the highest category by a nationally recognized statistical rating organization.
- c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities.
- d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments.
- e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

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

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None

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VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Oakland, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough of Oakland to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to ensure that such Permitted Investments are either received by the Borough of Oakland or by a third party custodian prior to or upon the release of the Borough’s funds.

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

VIII. REPORTING REQUIREMENTS

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

- A. The name of any institution holding funds of the Borough of Oakland as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.

- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough of Oakland.

IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2017 to December 31, 2017. 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.