

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 9, 2013

MEETING CALLED TO ORDER: By Mayor Schwager at 7:30 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney; James Mangin, Chief Financial Officer.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

MAYOR'S REPORT:

Mayor Schwager commented that 2013 is going to be an exciting year. Scout Troop #49 celebrated their 50th anniversary last Saturday. Mayan culture had said that the world was going to end on December 21, 2012. Now they are saying it is the beginning of a new era. Mayor Schwager hopes everyone can work together in 2013. She commented that 2012 was a good year. We ended the Library litigation. We leased the Van Allen House to the Ramapough Conservancy. We synchronized the traffic lights and are working on sewers in our downtown. A new business organization was formed this week and it is called the Oakland Community of Commerce. This year, we are going to improve the Farmers Market. Last year, the Borough purchased land on Ramapo Valley Road for Senior housing and this year we will move forward with that. Last year, we broke ground on the DPW building and the project will be completed this year. Last year, the Recreation Chairman worked with the Environmental Commission, Shade Tree Commission and Councilman Visconti to bring us plans for Great White Oak Park. Last year, we said we were going to stabilize taxes and taxes were kept flat. We will try again this year. Mayor Schwager spoke about open communication. During the hurricane, she tried to let the residents know what was happening by doing the reverse 911 calls. She invited residents to call, email or stop by her office any time. She will have office hours before Council meetings. She reminded residents to register their contact information for reverse 911 calls. She gave thanks to the residents and the Council and hopes everyone can work together this year. Oakland is a wonderful place to live and she is very proud of Oakland.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

Peter Kikot, 20 Minnehaha Blvd, advised that a new business group was formed by 30 business professionals and the name will be Oakland Community of Commerce. An Executive Board was appointed and by-laws were approved. They are applying for licensing and non-profit status. The next meeting of the organization will be February 4th at Cenzino's and all are welcome.

Jerri Angermueller, 24 Lakeview Terrace, advised that there are two capital ordinances from 2002 that allocated funds for repairs at the Van Allen House. She is not sure if there is still money left in those ordinances.

Frank Monaco, 60 Thackeray, questioned if Councilwoman Coira asked to be removed from Public Events. He stated that there was an accusation made that her not being appointed to Public Events was done for political reasons. He is trying to get the truth to the public. Mayor Schwager advised that she is not involved in the process of appointing Council liaisons. Mr. Monaco asked how many trusts there are. Mr. Mangin responded there are approximately 11 trust accounts. Mr. Monaco commented that just because there is money in a trust account does not mean that other organizations can tap into that money. He spoke about all the money that used to be in the Recreation trust. He would hate to see the wrong people get into the trust accounts. Councilwoman Coira advised that she did not believe any of the Council committee and liaison appointments that were made were political. Mr. Monaco commented that people like to make accusations without getting facts.

Mike Guadagnino, 34 Hopper and Recreation Chairman, has been on the Recreation Commission for seven years. He explained that there had been a lot of money in the Recreation trust but it has been used for several projects. The cost of the safety nets was \$140,000. There is still \$50,000 left in the Recreation trust. Mr. Kunze advised that the Recreation trust has a consistent revenue stream. There is a \$5 cap fee charged to all registrants and there is outside field usage fees that go directly into the trust account. There are small projects that the Recreation trust is used for.

Don Burns, 22 Whittier Lane, advised that after the last meeting when he spoke about the Raymond property, he received a letter from Eagle Scout Adam Frank about all the work he did on the Raymond property. Councilwoman Stagg explained that this is a joint project with the Environmental Commission and the schools and work is done in the spring and fall.

Howard Rubenstein, 7 West Court, thanked Councilwoman Coira for her service on the Public Events Committee and he welcomed Councilman Jensen. He spoke about funding Public Events from the Trust Fund.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

APPROVAL OF MINUTES: DECEMBER 19, 2012

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council meeting of December 19, 2012 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

APPROVAL OF MINUTES: DECEMBER 19, 2012 EXECUTIVE

On motion of Councilman Pignatelli, seconded by Councilwoman Stagg, the minutes from the Mayor and Council Executive Session of December 19, 2012 be approved.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RECOGNITION OF FORMER BOARD OF HEALTH PRESIDENT RONALD BEATTIE

Mayor Schwager recognized Ronald Beattie for his years of service to the Board of Health. She explained that Ron has been involved in the town for many, many years. He is leaving the Board of Health after twelve years and he was the President for the last five years. Councilman Pignatelli advised he has known Ron Beattie for the past seven years and Ron gave 110% of his efforts to the Board of Health. Ron Beattie explained that it seems like just yesterday that he was asked by former Mayor Bob Piccoli to fill a position on the Board of Health. It was a wonderful experience. It would not have been as successful without the Board Secretary Karin Dubowick. Ron thanked his mentor Alexander Potash.

APPOINTMENTS:

PLANNING BOARD:

Mayor Schwager reappointed Nick DiLandro to a four-year term with an expiration date of December 31, 2016 and she reappointed Jason Shafron to a two-year term as Alternate I with an expiration date of December 31, 2014.

BOARD OF ADJUSTMENT:

Mayor Schwager is holding off making nominations because she is waiting to hear from the Board Chairman.

BOARD OF HEALTH:

Mayor Schwager brought forth the nomination of Michael Talucci for reappointment to the Board of Health for a three-year term.

MOTION TO CONSENT

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the reappointment of Michael Talucci for a three-year term to expire December 31, 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RECREATION COMMISSION:

Mayor Schwager reappointed Neil Malmud to five-year term on the Recreation Commission to expire December 31, 2017.

COMMUNICATIONS COMMISSION:

Mayor Schwager advised that there are openings available on the OCC.

EMERGENCY MANAGEMENT:

Mayor Schwager will make these appointments at the January 23rd meeting.

LIBRARY BOARD:

Mayor Schwager reappointed Sadie Quinlan to a one-year term as Mayor's Alternate to expire on December 31, 2013. Mayor Schwager reappointed Geri Petersen to a five-year term to expire on December 31, 2017.

FLOOD COMMISSION:

Mayor Schwager brought forth the nomination of Anthony Papasso, Anthony Smid and Stephen Farley for reappointments to three-year terms.

MOTION TO CONSENT:

On motion of Councilwoman Stagg, seconded by Councilwoman Coira, the Council consented to the reappointment of Anthony Papasso, Anthony Smid, and Stephen Farley for reappointments to three-year terms to expire December 31, 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

ENVIRONMENTAL COMMISSION:

Mayor Schwager brought forth the nomination of Michael Kozak, Mark Ostapczuk and Michael Lynch for reappointment to three-year terms. Mayor Schwager brought forth the nomination of Gina Mayer-Costa for reappointment as Alternate 1 for a two-year term.

MOTION TO CONSENT:

On motion of Councilwoman Stagg, seconded by Councilwoman Coira, the Council consented to the reappointments of Michael Kozak, Mark Ostapczuk and Michael Lynch to three-year terms on the Environmental Commission to expire December 31, 2015 and the reappointment of Gina Mayer-Costa to a two-year term to expire December 31, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

SHADE TREE COMMISSION:

Mayor Schwager brought forth the nomination of Peg Delmour and Kim Bouma for reappointment to the Shade Tree Commission for five-year terms. She advised there is one opening.

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the reappointment of Peg Delmour and Kim Bouma to five-year terms to expire December 31, 2017.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

MUNICIPAL ALLIANCE:

Mayor Schwager appointed the following to the Municipal Alliance Committee for one-year terms to expire December 31, 2013:

Detective Mark Piercy	Arlene Romaine	Joseph Collins	Tom Kersting
William Gorton	Carita Shelkin	Deborah Butler	Barbara Bonini
Ellen Mihovics	Kathleen Funabashi	Jacqueline Micari-Christiano	

PUBLIC EVENTS COMMITTEE:

Mayor Schwager questioned the terms. Mr. Chewcaskie advised that five members will be appointed for three-year terms, five members will be appointed for two-year terms, and five members will be appointed for one-year terms.

Mayor Schwager brought forth the following nominations for three-year terms:

Jerri Angermueller	Ginny Guliani	Mame Schwartzfisher
Pat Tirri	Erinda Kikot	

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the appointments of Jerri Angermueller, Ginny Guliani, Mame Schwartzfisher, Pat Tirri and Erinda Kikot to the Public Events Committee for three-year terms ending December 31, 2015.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

Mayor Schwager brought forth the following nominations for two-year terms:

Michael Kozak Thomas "Chopper" Russo

MOTION TO CONSENT:

On motion of Councilman Visconti, seconded by Councilwoman Marcalus, the Council consented to the appointments of Michael Kozak and Thomas "Chopper" Russo for two-year terms ending December 31, 2014.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

Mayor Schwager brought forth the nomination of Howard Rubenstein for a one-year term.

MOTION TO CONSENT:

On motion of Councilman Jensen, seconded by Councilman Visconti, the Council consented to the appointment of Howard Rubenstein for a one-year term ending December 31, 2013.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

FARMERS MARKET COMMITTEE:

Mayor Schwager brought forth the nomination of Jane Graham, Aileen Kiter, Tracey DiTolla, Kathleen Kukla and Joyce D'Allesandro for one-year appointments to the Farmers Market Committee.

MOTION TO CONSENT:

On motion of Councilman Pignatelli, seconded by Councilwoman Coira, the Council consented to the nominations of Jane Graham, Aileen Kiter, Tracey DiTolla, Kathleen Kukla and Joyce D'Allesandro for one-year appointments to the Farmers Market Committee.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

APPOINTMENT OF PROFESSIONALS:

Mayor Schwager commented that one of the Council members asked her to table this issue because the Council did not meet to discuss the submittals. She asked the Council for a day to meet to go over the RFQ's. Councilman Visconti advised that if the entire Council meets, it must be a public meeting. Mayor Schwager suggested they meet on the night of the next Council meeting. Councilman Visconti advised if any Council member has a question, there is no time for clarification if the appointments are going to be made the same night. Mr. Chewcaskie commented that if more information is needed, a special meeting can be scheduled on January 30th to make appointments. The consensus was to meet at 6:30 pm on January 23rd to discuss appointments of Professionals.

APPROVAL RAFFLE LICENSE RL1170

On motion of Councilwoman Stagg, seconded by Councilman Jensen, approval be granted to Raffle License RL1170 for Sports Association of Oakland to hold an on-premise 50/50 raffle on January 27, 2013 at Indian Hills High School, 97 Yawpo Avenue.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

APPROVE RAFFLE LICENSE RL1171

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, approval be granted to Raffle License RL1171 for Knights of Columbus to hold an off-premise 50/50 raffle on May 4, 2013 at Knights of Columbus, 7 Courthouse Place.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Marcalus, Stagg, Visconti.
Abstain, Councilman Pignatelli.

RESOLUTION 13-1 to 13-21 CONSENT AGENDA

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

WHEREAS, in an effort to expeditiously conduct certain Borough matters, the Mayor and Council of the Borough of Oakland are desirous of adopting a Consent Agenda of Resolutions numbered 001 through 021, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 001 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. 001 through 021, as set forth and attached hereto as if said Resolutions were singularly read and voted upon by the Mayor and Council.

RESOLUTIONS

- NUMBER 1 - RATE OF INTEREST ON DELINQUENT MUNICIPAL CHARGES
- NUMBER 2 - PETTY CASH FUNDS
- NUMBER 3 - SIGNATORIES - PAYROLL ACCOUNTS
- NUMBER 4 - OFFICIAL DEPOSITORY - MUNICIPAL COURT ACCOUNT
- NUMBER 5 - AUTHORIZATION INVEST BOROUGH FUNDS
- NUMBER 6 - SIGNATORIES - BANK ACCOUNTS
- NUMBER 7 - CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS
- DEPOSITORIES
- NUMBER 8 - OFFICIAL DEPOSITORIES DESIGNATED
- NUMBER 9- APPOINTING CERTIFYING OFFICERS
- NUMBER 10- CERTIFYING OFFICIAL - RAFFLES AND BINGO
- NUMBER 11- COOPERATIVE PURCHASING PROGRAM
- NUMBER 12- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES
- NUMBER 13- JOINT INSURANCE FUND COMMISSIONER
- NUMBER 14- JOINT INSURANCE FUND ALTERNATE COMMISSIONER -CFO
- NUMBER 15- JOINT INSURANCE FUND SAFETY DELEGATE – EDWARD KASPER

NUMBER 16- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – EDWIN
KIMMEL
NUMBER 17-PETTY CASH
NUMBER 18-TAX REFUNDS
NUMBER 19-ACCELERATED TAX SALE
NUMBER 20 -LICENSE BOROUGH PROPERTY
NUMBER 21- PUBLIC AGENCY COMPLIANCE OFFICIAL

RESOLUTION NO. 1
RESOLUTION SETTING INTEREST AND PENALTIES
UNDER R.S. 54:4-67

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

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

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

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

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

RESOLUTION NO. 2 PETTY CASH FUNDS:

BE IT RESOLVED that 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 2013, 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 2013, 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 2013, 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 of the Senior Citizen Department for the year 2013, 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 of the Fire Department for the year 2013, 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 2013, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2013.

RESOLUTION NO. 3

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

RESOLUTION NO. 4

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

THE MUNICIPAL COURT ACCOUNT AND MUNICIPAL COURT BAIL ACCOUNT
and

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

RESOLUTION NO. 5

BE IT RESOLVED by the Mayor and Council that the Treasurer of the Borough of Oakland is hereby authorized to invest Borough Funds, from time to time during the year 2013 in authorized investments as per the approved cash management plan, or with approved depositories for Borough funds, whenever it shall appear that such funds are available for investment.

RESOLUTION NO. 6

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

CURRENT CHECKING
WATER CHECKING
CAPITAL CHECKING
WATER CAPITAL CHECKING
SEWER CHECKING
TRUST CHECKING

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

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

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2013 (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
MILLINGTON SAVINGS BANK, MILLINGTON, NEW JERSEY
and

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

RESOLUTION NO. 8

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

LIEN REDEMPTION ACCOUNT and

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

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

THE ANIMAL CONTROL ACCOUNT
THE WATER CAPITAL ACCOUNT
THE CAPITAL ACCOUNT
TRUST CHECKING
THE WATER OPERATING ACCOUNT
THE CURRENT ACCOUNT
THE SEWER OPERATING ACCOUNT

LANDFILL CLOSURE ACCOUNT
COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT
PAYROLL ACCOUNT
PAYROLL AGENCY ACCOUNT
STATE UNEMPLOYMENT INSURANCE ACCOUNT
SEWER CAPITAL ACCOUNT
FEDERAL/STATE GRANTS ACCOUNT

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

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

HEALTH BENEFITS CLAIMS ACCOUNT; and

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

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

THE ANIMAL CONTROL ACCOUNT

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

RESOLUTION NO. 9

APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2012:

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

RESOLUTION NO. 10

CERTIFYING OFFICIAL - RAFFLES AND BINGO:

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

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

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

RESOLUTION NO. 11
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. 12

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

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

RESOLUTION NO. 13
JOINT INSURANCE FUND COMMISSIONER.

BE IT RESOLVED that the Borough Administrator be appointed Joint Insurance Fund Commissioner for the year 2013.

RESOLUTION NO. 14
JOINT INSURANCE FUND ALTERNATE COMMISSIONER

BE IT RESOLVED that the Chief Financial Officer be appointed Joint Insurance Fund Alternate Commissioner for the year 2013.

RESOLUTION NO. 15
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 2013.

RESOLUTION NO. 16
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 2013.

RESOLUTION 17
BOROUGH OF OAKLAND
PETTY CASH POLICY

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that no single payment from the petty cash fund shall exceed \$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 2013.

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 2013

VI. AUTHORIZED INVESTMENTS.

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

- 1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;

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

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

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

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

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

Local Government Investment Pool. An investment pool:

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

None

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

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

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

VIII. REPORTING REQUIREMENTS

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

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

IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2013 to December 31, 2013. 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 18:
PROCESSING OF TAX REFUNDS**

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

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

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

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

**RESOLUTION 19:
ACCELERATED TAX SALE**

BE IT RESOLVED that the Collector of Taxes for the Borough of Oakland is hereby authorized to conduct an Accelerated Tax Sale for delinquent taxes for the calendar year 2013.

**RESOLUTION 20:
LICENSE BOROUGH PROPERTY**

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

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

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

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

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

1. The Borough will hereby permit requests to license various properties within the Borough of Oakland currently owned by the Borough of Oakland by adjacent property owners.
2. A written request is to be made to license such property to the Borough Clerk which request will be reviewed by the Borough Administrator, Superintendent of the Department of Public Works and Borough Engineer and a report

delivered to the Mayor and Council in order to appropriately evaluate the request to license the property.

3. The Mayor and Council, in its sole discretion, shall determine whether to license the property to the adjoining property owner.
4. The license shall be for a period of a calendar year and shall be in the amount of One Dollar (\$1.00).
5. The licensee shall be required to enter into a written license agreement which will require the execution of a Hold Harmless Agreement, an appropriate Certificate of Insurance, and in accordance with the Rules and Regulations for such licensed property, attached hereto.
6. The licensee shall comply with all rules and regulations as follows:
 - The maintenance of the property which will include appropriate landscaping, snow removal;
 - Maintaining the property in a clean fashion and free of all debris;
 - No permanent structures;
 - No parking of vehicles, recreational vehicles or boats;
 - No fencing shall be place on the property;
 - No paving of the property;
 - The property owner shall be current on taxes and have no outstanding violations for property maintenance, zoning or health;
 - Any additional regulations that the Mayor and Council may impose on a case by case basis, at its discretion.

RESOLUTION NO. 21

APPOINT PUBLIC AGENCY COMPLIANCE OFFICIAL

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoints Borough Administrator Richard S. Kunze to serve as its public agency compliance officer for the year 2013.

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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-22 TEMPORARY BUDGET

On motion of Councilman Visconti, seconded by Councilwoman Marcalus, 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 2013; and

WHEREAS, the total of the following 2013 temporary appropriations do not exceed 26.25% of the total appropriations in the 2012 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 2013 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	\$ 51,188	\$ 2,048
Communication Committee		\$ 3,938
General Services		\$ 15,750
Mayor & Council	\$ 11,820	\$ 7,875
Municipal Clerk	\$ 19,336	\$ 5,303
Elections	\$ 597	\$ 3,282
Finance	\$ 50,215	\$ 5,303
Audit		\$ 9,712
Information & Technology		\$ 11,642
Tax Collection	\$ 23,192	\$ 4,319
Tax Assessment	\$ 30,021	\$ 4,174
Legal Services		\$ 51,188
Engineering		\$ 9,975
Planning Board	\$ 7,638	\$ 4,555
Board of Adjustment	\$ 3,990	\$ 2,153
Uniform Construction Code	\$ 62,422	\$ 1,864
Insurance		\$140,870
Health Benefits		\$449,757
Police Dept.	\$ 815,697	\$ 33,388
911 System		\$ 3,281
Emergency Management	\$ 1,968	\$ 2,757
Flood Control	\$ 1,135	\$ 393
Contribution to First Aid Squad		\$ 25,000
Fire Dept.		\$ 27,825
Prosecutor		\$ 6,037
Streets & Roads	\$121,774	\$ 26,132
Shade Tree		\$ 5,250
Stormwater Management	\$ 13,178	\$ 8,164
Garbage & Trash Removal	\$ 18,874	\$234,350
Snow Removal	\$ 11,812	\$ 24,019
Buildings & Grounds	\$ 51,790	\$ 35,228
Vehicle Maintenance	\$ 16,329	\$ 26,119
Board of Health	\$ 16,144	\$ 38,680
Environmental Comm.	\$ 315	\$ 183

Recreation	\$ 8,020	\$ 61,754
Senior Citizens	\$ 16,105	\$ 8,768
Public Library	\$114,864	\$ 38,925
Celebration of Public Events		\$ 3,702
Electricity		\$ 20,000
Street Lighting		\$ 30,000
Telephone		\$ 25,725
Natural Gas		\$ 6,563
Gasoline		\$ 20,000
PERS Pension		\$345,283
PFRS Pension		\$726,912
Social Security		\$112,612
Defined Contribution Plan		\$ 196
NJ Motor Vehicle Services	\$ 24,675	
Municipal Court	\$ 34,099	\$ 2,494
Public Defender		\$ 2,625
Note Interest		\$ 51,000
Total	\$1,527,198	\$2,687,073
Current Fund Total		\$4,214,271

Water Utility

	Salaries & Wages	Other Expenses
Water Operations	\$ 143,457	\$ 62,646
Utilities		\$ 77,438
Social Security		\$ 13,125
Total	\$ 143,457	\$153,209
Water Fund Total		\$296,666

Sewer Utility

	Salaries & Wages	Other Expenses
Sewer Operations	\$ 26,067	\$ 36,554
Utilities		\$ 10,237
Social Security		\$ 3,150
Total	\$ 26,067	\$ 49,941
Sewer Fund Total		\$ 76,008

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-23 STAFF APPOINTMENTS

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

BE IT RESOLVED that, in accordance with the applicable State Statutes, the following staff appointments be made for the year 2013:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-24 POLICE DEPARTMENT YEARLY APPOINTMENTS

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, 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 2013:

CROSSING GUARDS

Edward Ackerly	Brenda DeBouter	
Klaus Angermueller	Debra DeYoung	Richard Pierce
Kenneth Axtell	Marilyn Dockery	Kelly Smith
William Bickford	Mindy Greenfield	John Gray (sub)
Philip Bowers	Debra Hill	
John Carr	Debra Patterson	
Maryann Carroll	Cosimo Pelle	

SPECIAL POLICE

Kate Foster

POLICE MATRON

Andrea Knapp	Lynn Ver Hage
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ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-25 AUTHORIZE CONTRACT-VALLEY HEALTH

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

WHEREAS, the Mayor and Council of the Borough of Oakland wishes to contract with Valley Hospital for the 2013 Communicable Disease Management Program, 2013 Community Wellness Program and 2013 Bloodborne Pathogen Compliance Program; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland approves the agreement with Valley Hospital effective January 1, 2013 through December 31, 2013 for a fee not to exceed:

Communicable Disease Management	\$ 4,767.36
Community Wellness Program	\$ 4,248.40
Bloodborne Pathogen Program	\$ 465 plus \$ 225 per series vaccination

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds will be available in Account #3-01-27-330-140-\$ 4,767.36- for the Communicable Disease Management Program; Account #3-01-27-330-150 - \$4,248.40- for the Community Wellness Program and Account #3-01-27-33-135 -\$ 465 plus \$ 225 per vaccination series- for the Bloodborne Pathogen Program subject to appropriation of funds in the 2013 adopted budget; and

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-26 ABSENTEEISM POLICY

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

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

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

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

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

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

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

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

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

order to determine an excused absence:

Illness
Vacation
Business obligations

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

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-27 APPOINT FUND COMMISSIONER-BMED

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

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, 2013, to represent the Borough of Oakland; and

BE IT FURTHER RESOLVED that James Mangin be and is appointed as Alternate Fund Commissioner to the Bergen Municipal Employee Benefits Fund effective January 1, 2013.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-28 REFUND OF RECREATION FEES

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

WHEREAS, the Borough of Oakland has received a request for a refund of Basketball Registration Fees in the amount of \$ 136.00; and

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

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

Julie Good, 10 Concord Lane, Oakland, NJ 07436 refund due \$ 68.00

Lucia Fischer, 39 Lakeshore Dr., Oakland, NJ 07436 refund due \$ 68.00

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-29 AUTHORIZE PRELIMINARY EXPENSES-WATER MAIN REPLACEMENTS ENGINEERING

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

WHEREAS, the New Jersey Local Finance Board by regulation has permitted municipalities to fund preliminary surveys, architects' fees, engineering costs, etc. from the Capital Improvement Fund provided that the ultimate project could be funded by a bond ordinance; and

WHEREAS, the Lehigh Way and West Oakland Avenue Water Main Improvements would be a bondable capital improvement with a minimum useful life of five (5) years;

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

- Section 1. That for the aforesaid reasons the Mayor and Council hereby establish in the General Capital Fund an account designating "Reserve for Preliminary Expenses – Lehigh Way & West Oakland Avenue Main Improvements" in the amount of \$50,000.
- Section 2. That all related services and costs could result in a project that would be bondable pursuant to N.J.S.A. 40A:1-1 et seq., having a useful life of not less than five (5) years.
- Section 3 Upon completion of the project, any unused monies in said Reserve shall be returned to the Capital Improvement Fund.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-30 AUTHORIZE CREW ENGINEERS-WATER MAIN REPLACEMENTS

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

WHEREAS, there is a need to replace a section of the water main on Lehigh Way and install additional water main along a section of West Oakland Ave.; and

WHEREAS, Crew Engineers, Inc. has submitted a proposal dated December 19, 2012 for Engineering Services for the project in the following amounts:

Design Phase	\$ 19,000 Hourly, Not to exceed
Bidding Services	\$ 3,600 Hourly, Not to exceed
Construction services	\$ 26,900 Hourly, Not to exceed

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # C-06-56-678-000; and

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

WHEREAS, Crew Engineers has complied with the Borough of Oakland's Pay-to-Play requirements as outlined in Ordinance 12-Code-669 adopted on July 11, 2012;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby award a contract to Crew Engineers for Engineering Services for the Water Main Replacement project for West Oakland Avenue and Lehigh Way as specified in their proposal dated December 19, 2012 for a total amount not to exceed \$49,0000; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the agreement with Crew Engineers.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-32 RETIREE HEALTH INSURANCE PREMIUMS

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

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, 2013:

	Medical Traditional	Medical PPO	Medical Direct 10	Rx \$1	Rx \$3/\$5	Rx \$10/\$20	Dental	Vision
Single, No Medicare	1,033	907	832	316	310	282	68.01	13.75
Single, Medicare 1	522	459	420	160	156	142	68.01	13.75
P/C, No Medicare	1,446	1,269	1,164	443	435	396	129.21	20.06
P/C, Medicare 1	1,021	897	825	318	313	285	129.21	20.06
H/W, No Medicare	2,251	1,975	1,813	689	678	617	122.42	30.23
H/W, Medicare 1	1,555	1,364	1,252	476	468	426	122.42	30.23
H/W, Medicare 2	1,044	916	841	320	314	286	122.42	30.23
Family, No Medicare	2,560	2,247	2,062	784	770	701	207.43	36.58
Family, Medicare 1	1,864	1,635	1,500	571	562	511	207.43	36.58
Family, Medicare 2	1,237	1,065	1,134	632	626	587	207.43	36.58

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-33 AUTHORIZE IDA TO ADMINISTER SELF-FUNDED VISION PLAN

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

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

WHEREAS, this plan is for the purpose of providing certain vision care coverage to eligible employees and retirees; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby awards a contract to Insurance Design Administrators for the administration of the self-insured vision program at a rate of \$ 4 per employee per month.

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

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-35 APPOINT SUBSTITUTE CROSSING GUARD

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

WHEREAS, the Police Chief has requested the appointment of a substitute crossing guards and all necessary background checks have been completed;

BE IT RESOLVED, that the Mayor and Council hereby appoints Ronald Santaniello as substitute crossing guard at a salary of \$ 14.37 per hour effective January 9, 2013.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-36 TRANSFERS TO APPROPRIATION RESERVE

On motion of Councilman Visconti, seconded by Councilman Pignatelli, 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 2012 budget of the Borough of Oakland; and

WHEREAS, there exist certain budget expenditures with funds available in excess of the amounts approved in the Fiscal 2012 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 2012 Current Fund budget:

Current Fund

Account #	Description	From	To
2-01-26-310-026	Bldgs & Grounds – Other Expenses	\$ 2,000	
2-01-26-315-029	Vehicle Maintenance – Other Expenses	<u>\$ 2,000</u>	
Sub-total		\$ 4,000	
2-01-20-130-029	Finance – Other Expenses		\$ 2,000
2-01-26-300-118	Shade Tree – Other Expenses		<u>\$ 2,000</u>
Sub-total			\$ 4,000

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

INTRODUCTION: ORDINANCE NO. 13-BOND-681

The Clerk was directed to take from table Ordinance No.13-Bond-681 and read by title for its first reading.

The Clerk then read by title Ordinance No. 13-Bond-681 entitled: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO THE WATER MAINS ON LEHIGH WAY AND WEST OAKLAND AVENUE IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$365,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

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

BE IT RESOLVED that an Ordinance entitled, Bond Ordinance To Authorize The Undertaking Of Improvements To The Water Mains On Lehigh Way And West Oakland Avenue In, By And For The Water Utility Of The Borough Of Oakland, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$365,000 To Pay The Cost

Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds, be introduced;

That said Ordinance be considered for final adoption at a meeting on January 23, 2013 at the Municipal Court/Council Chambers, 10 Lawlor Drive, Oakland, New Jersey at 7:30 P.M.

That said Ordinance be published in full in The Record on or before January 14, 2013 together with notice of this introduction and of the time and place for further consideration for final passage, and that the Clerk post a copy of said Ordinance in the Municipal Building and make copies available to the public.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

RESOLUTION 13-34 INTRODUCTION OF BOND ORDINANCE

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

BE IT RESOLVED that the ordinance entitled:

"BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO THE WATER MAINS ON LEHIGH WAY AND WEST OAKLAND AVENUE IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF OAKLAND, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$365,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 23rd day of January, 2013, at 7:30 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

WORK SESSION:

PROPOSALS FOR MARKETING OF RECYCLABLES:

Mr. Kunze advised that the Borough solicited proposals from marketers for recyclable materials. The current contract with Green Sky expires in January. The proposals received have the rates for single stream recycling. It is somewhat less than what we are getting currently for paper but more than what we are getting for commingled. We received three proposals and Green Sky Industries had the best pricing. Councilman Pignatelli asked if they could offer additional dates for shredding documents for the residents. Mr. Kunze responded that we would probably have to

pay for additional dates but he would ask Green Sky. He did advise that we have recycling grant money for those types of events. A resolution will be listed on the January 23rd agenda.

WOLF GROUP APPOINTMENTS:

Mr. Kunze advised that the Council needs to determine who the representatives will be for the WOLF shared services group. The consensus was to have the Mayor, Councilman Visconti and Councilman Pignatelli be the representatives for 2013.

APPOINTMENT OF RECREATION COMMISSION LIAISON:

Councilman Visconti advised that Councilwoman Coira has agreed to be the liaison to the Recreation Commission. He advised that in the past two years as Council President, he has contacted Council members and asked for their preferences. He advised that the Council does work together.

COUNCIL REPORTS:

Councilwoman Marcalus: The Ramapo Indian Hills Board of Education reorganized. The Library will hold a Business Intelligence Seminar on January 10th at 6 pm. The Library will host a College Admissions 101 seminar on February 7th. The Library does have book discussion groups.

Councilman Visconti: No report.

Councilwoman Stagg: The Flood Commission will meet on Monday January 14th at 7:30 pm.

Councilman Pignatelli: He thanked the Fire Department for bringing around Santa and for collecting food donations for the Woman's Club.

Councilman Jensen: No report.

Councilwoman Coira: The Shade Tree Commission is looking for new members. The Recreation Commission will reorganize on January 14th at the Danny D'Elia building. She commented that the Council does work well together to fill positions on Committees and as liaisons. She congratulated Councilmembers Pignatelli and Visconti on the re-election and she supports Councilman Visconti as Council President.

OPENED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

BILLS TO BE PAID:

On motion of Councilman Visconti, 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 Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilwoman Marcalus, the meeting be adjourned at 8:55 pm.

ROLL CALL: All yeas, Councilmembers Coira, Jensen, Marcalus, Pignatelli, Stagg, Visconti.

Lisa M. Duncan, Borough Clerk
January 23, 2013

Mayor Linda H. Schwager

Date Approved