

REGULAR MEETING OF THE MAYOR AND COUNCIL
HELD AT THE
MUNICIPAL COURT /COUNCIL CHAMBERS
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY
WEDNESDAY JANUARY 22, 2014

MOVE TO EXECUTIVE SESSION:

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

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

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

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

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

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

Councilman Pignatelli entered at 7:29 pm.

CLOSE EXECUTIVE SESSION:

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

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:37 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, 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 advised she received correspondence from Bergen Community College about their tuition waiver program for members of Fire Departments, First Aid Squads, OEM and Police Departments.

OPENED FOR PUBLIC DISCUSSION:

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

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

APPROVAL OF MINUTES: JANUARY 8, 2014

On motion of Councilwoman Stagg, seconded by Councilman Jensen, the minutes from the Mayor and Council meeting of January 8, 2014 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Visconti. Abstain, Councilwoman Stagg.

APPOINTMENT: BOROUGH AUDITOR

Mayor Schwager brought forth the nomination of Frank DiMaria from DiMaria & DiMaria as Borough Auditor for 2014.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilwoman Stagg, the Council consented to the appointment of Frank DiMaria from DiMaria & DiMaria as Borough Auditor for 2014.

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

APPOINTMENT: BOROUGH PLANNER

Mayor Schwager brought forth the nomination of Steve Lydon from Burgis Associates as Borough Planner for 2014.

Motion to Consent:

On motion of Councilwoman Stagg, seconded by Councilman Visconti, the Council consented to the appointment of Steve Lydon from Burgis Associates as Borough Planner for 2014.

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

APPOINTMENT: WATER & SEWER ENGINEER-CARRIED

Mayor Schwager brought forth the nomination of Kevin Boswell from Boswell McClave Engineer as Water & Sewer Engineer for 2014. She is confident in Mr. Boswell's knowledge to help the Borough get sewers in the downtown.

Discussion ensued. Councilman Visconti advised that there are a couple of functions of the Water & Sewer Engineer. The person who handles our account on a day to day basis is important. He would like to interview the people who will be handling the day to day work. He advised that there was a third firm that submitted an RFQ besides Boswell and Crew.

Councilwoman Stagg agreed with Councilman Visconti that we need to know who will be handling our account on a daily basis. She does not have a problem with Boswell but she wants more information on who would handle the account. She would like to table this until next month. Councilman Jensen advised that each firm who submitted an RFQ deserves a fair shake. He agreed that the Council needs to meet the people who would handle the account.

Councilwoman Coira agreed. She has confidence in Boswell because she voted for them as Borough Engineer but she feels all the candidates deserve a fair shake. Mayor Schwager asked Mr. Kunze to set up meetings with the representatives from all three candidates.

APPOINTMENT ENVIRONMENTAL COMMISSION:

Mayor Schwager brought forth the nomination of Michael DeSilva as Alternate II on the Environmental Commission for a two-year term to expire December 31, 2015.

Motion to Consent:

On motion of Councilwoman Stagg, seconded by Councilman Pignatelli, the Council consented to the appointment of Michael DeSilva as Alternate II on the Environmental Commission.

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

APPOINTMENT PUBLIC EVENTS COMMITTEE

Mayor Schwager brought forth the nomination of Sharon Fadini and Susan Ferrary to one-year terms on the Public Events Committee.

Motion to Consent:

On motion of Councilman Jensen, seconded by Councilwoman Stagg, the Council consented to the appointment of Sharon Fadini and Susan Ferrary to one-year terms on the Public Events Committee.

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

Mayor Schwager advised that there will be no Farmers Market this year. People stopped coming to our Farmers Market due to the indoor market that opened last year in Copper Tree Mall. Mayor Schwager is going to meet with the Committee members and come up with another plan.

APPOINTMENT TO GREEN TEAM:

Mayor Schwager appointed Erich Kamm and Gina Mayer Costa as Environmental Commission representatives on the Green Team. She advised that two Council representatives are needed for the Green Team.

APPOINTMENTS TO OFFICE OF EMERGENCY MANAGEMENT

Mayor Schwager made the following appointments to the Office of Emergency Management:

Emergency Management Coordinator	Roy Bauberger, 3 Year Term to 12/31/16
Deputy Coordinator	Tim Ryan
Deputy Coordinator	Leonard Tanis
Deputy Coordinator	Anthony Marcucilli
Emergency Operations Coordinator	Robert DeBoer Sr.
Police Liaison	Chief Ed Kasper
Police Liaison	Thomas Pianettini
Fire Liaison	Chief Curtis LeRoy
Fire Liaison	Asst. Chief Charles Kelly
Fire Liaison	Asst. Chief Dave Hutsebaut
First Aid Liaison	Captain Jeff Marcheso
First Aid Liaison	Lt. Shirley Hutsebaut
First Aid Liaison	Lt. Kevin McMackin
Mayor	Mayor Linda H. Schwager
Council liaison	Councilwoman Elizabeth Stagg
Borough Administrator	Richard Kunze
Shelter Coordinator	Don Broek
CERT Team Coordinator	Steve Farley
OFD Auxiliary	Lois Smid
OFD Auxiliary	Judy Koeber
Construction Code Official	Dan Hagberg
DPW Equipment Operator	Jason Duncan
DPW Municipal Damage Assessment	Scott Ciccarella
Local Board of Education	Principal Glenn Clark
Local Board of Education	Robert Jacod
Local Board of Education	Joe Tumminia
Technology Resources	Erin Bauberger
Animal Rescue Coordinator	Tony Smid
Drill Coordination	Ed Tryon
Sara 3 Representative	Doug Brown
Local Resources	Dave Potash
Technology Resources	Jane Madden
Board of Health	Steve Tiffinger
River Cleanup Coordinator	John Madden
Oakland Communications Liaison	Fred Birks

APPROVE RAFFLE LICENSE RL1208

On motion of Councilwoman Stagg, seconded by Councilman Visconti, approval be granted for Raffle License RL1208 for Oakland Education Foundation to hold a Casino Night on March 1, 2014 at Portobello's Restaurant, 155 Ramapo Valley Road.

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

APPROVE RAFFLE LICENSE RL1209

On motion of Councilwoman Stagg, seconded by Councilman Visconti, approval be granted for Raffle License RL1209 for Oakland Education Foundation to hold an on-premise raffle for merchandise on March 1, 2014 at Portobello's Restaurant, 155 Ramapo Valley Road.

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

RESOLUTION 14-33 APPOINTMENT OF MUNICIPAL COURT JUDGE

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

BE IT RESOLVED that the Mayor and Council of the Borough of Oakland appoint John Conte as Municipal Court Judge for a three-year term effective January 1, 2014 through December 31, 2016.

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

RESOLUTION 14-34 APPOINT SUBSTITUTE CROSSING GUARD

On motion of Councilwoman Stagg, seconded by Councilman Visconti, 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 guard and all necessary background checks have been completed;

BE IT RESOLVED, that the Mayor and Council hereby appoints Karen Grygus as a substitute crossing guard at a salary of \$14.73 per hour effective December 2, 2013.

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

RESOLUTION 14-35 AUTHORIZE AGREEMENT-BOROUGH ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Borough Attorney** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Borough Attorney and solicited Requests for Qualifications in November 2013; and

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

WHEREAS, the Borough's Review Team has determined that Brian M. Chewcaskie of the firm of Gittleman, Muhlstock & Chewcaskie, LLP will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Brian M. Chewcaskie and the firm of Gittleman, Muhlstock & Chewcaskie to serve as the Borough Attorney for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Borough Attorney be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year 2014 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount exclusive of work funded through applicants' escrow and Borough Capital Accounts, shall not exceed \$ 92,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that \$ 45,000 is available in Account # 4-01-20-155-027 (retainer) and \$ 47,000 is available in Account #4-01-20-155-028 (general legal services); and

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

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

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

RESOLUTION 14-36 AUTHORIZE AGREEMENT-LABOR ATTORNEY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a **Labor Attorney** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Labor Attorney and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, the Council has nominated Matthew J. Giacobbe and the firm of Cleary Giacobbe Alfieri Jacobs LLC to serve as the Borough's Labor Attorney for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Labor Attorney be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED, that compensation for said Labor Attorney for the year 2014 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 45,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 4-01-20-155-029; and

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

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

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

RESOLUTION 14-37 AUTHORIZE AGREEMENT-BOND COUNSEL

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Bond Counsel** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Bond Counsel and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated Steven Rogut and the firm of Rogut McCarthy to serve as the Borough's Bond Counsel for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Bond Counsel be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED, that compensation for said Bond Counsel for the year 2014 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

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

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

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

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

RESOLUTION 14-38 AUTHORIZE AGREEMENT-RISK MANAGER HEALTH BENEFITS
On motion of Councilwoman Stagg, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Health Insurance for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Health Benefits and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated the firm of The Vozza Agency to serve as the Risk Manager for Health Insurance for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2013 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

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

- 2.5% of the Borough's Health Insurance Premiums for medical and prescription coverage, with payment being made to the Vozza Agency directly by the Bergen Municipal Employee Benefits Fund.
- Commissions on the dental premiums of 10% of the first \$5,000, 4% on the next \$95,000 and 3% on amounts over \$100,000, with payments being made to the Vozza Agency by Delta Dental.
- Commission on the Life premium of 7.5% with payment being made to the Vozza Agency by the carrier.
- Commission on the Short Term Disability Premium of 10% to be paid directly by the carrier.

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

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

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

RESOLUTION 14-39 AUTHORIZE AGREEMENT-RISK MANAGER-LIABILITY

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of a Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Risk Manager-Property Insurance, Liability Insurance and Workers Compensation- and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated the firm of Brown & Brown to serve as the Risk Manager for Property Insurance, Liability Insurance and Workers' Compensation for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2014 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

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

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

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

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

RESOLUTION 14-40 AUTHORIZE AGREEMENT-BOROUGH ENGINEER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Engineer** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Borough Engineer and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated Kevin Boswell and the firm of Boswell McClave Engineering to serve as the Borough Engineer for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Borough Engineer be and is hereby appointed for the year 2013; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer for the year 2014 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$14,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 4-01-20-165-100; and

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

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

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

RESOLUTION 14-41 AUTHORIZE AGREEMENT-BOROUGH PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Borough Prosecutor** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Borough Prosecutor and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated Thomas Buonocore to serve as the Borough Prosecutor for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Borough Prosecutor be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 16,200 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account #4-01-25-275-021 ; and

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

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

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

RESOLUTION 14-42 AUTHORIZE AGREEMENT-PUBLIC DEFENDER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Public Defender** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Public Defender and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated Nina C. Remson to serve as the Borough's Public Defender for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Public Defender be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 8,100 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 4-01-43-495-021; and

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

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

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

RESOLUTION 14-43 TEMPORARY BUDGET AMENDMENT

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

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

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 emergency temporary appropriations be made and that a certified copy of this resolution be filed with the Director of the Division of Local Government Services:

Current Fund

<u>Account #</u>	<u>Description</u>	<u>Temporary Budget</u>	<u>Amendment</u>
4-01-20-165-020	Engineering – Other Expenses	\$8,750	\$28,000
4-01-23-210-000	Insurance – Liability	\$133,000	\$140,000

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

RESOLUTION 14-44 CANCEL DEBIT BALANCES

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

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

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

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed debit balances for the year 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following debit balances for 2013, as listed below:

DEBIT BALANCES

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Amount</u>
1001	47		\$.01
1201	2		.01
1301	32.03		.07

1401	102	.01
1606	16	.78
1702	5	.60
1702	13	.01
1704	21	5.86
1803	9	.01
3101	4	.50
3601	3	.01
3601	7	.20
3701	35	5.67
3703	43	.01
3801	100	.29
3802	5	.02
3803	21	7.81
3805	10	.01
3805	12	.10
3904	15	.44
4305	12	.40
4602	26	.41
4701	15	.61
4801	39	.01
4901	7	3.90
5001	4	.19
5004	15	.01
5004	62	.27
5006	7	7.70
5204	3	.54
5204	23	.31
5301	44	.54
5304	37	.01
5404	27	.01
5504	2	.01
5606	20	.99

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

RESOLUTION 14-45 CANCEL CREDIT BALANCES

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

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

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

WHEREAS, the Tax Collector has requested that the Mayor and Council authorize the cancellation of the below listed credit balances for the year 2013;

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Oakland hereby authorize the Tax Collector to cancel the following credit balances for 2013:

CREDIT BALANCES

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Amount</u>
802	2		.03
802	15		.02
803	14		.01
901	5		.01
1106	16		.01
1203	21		.23
1203	32		.02
1203	48		.20
1301	18		.06
1603	6		4.00
1606	30		.04
1803	14		4.65
1901	39	C0023	1.44
2001	28		1.43
2504	6		4.73
2601	1		.10
2801	23		.01
2801	45		.10
3501	22		10.00
3703	22		.06
3703	52		2.00
4403	8		.36
4504	41		.01
4504	57		8.79
4702	4		.63
4702	57		.50
4802	59		.10
4906	61		2.00
4908	16		.01
5004	12		.01
5004	32		.01
5101	5		.32
5104	8		.10
5204	2		5.88
5204	14		10.00
5305	21		.01
5402	24		.01

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

RESOLUTION 14-46 AUTHORIZE AGREEMENT-ALTERNATE PROSECUTOR

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of an **Alternate Borough Prosecutor** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select an Alternate Borough Prosecutor and solicited Requests for Qualifications in November 2013; and

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

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

WHEREAS, Mayor Schwager has nominated Andrew Roth to serve as the Borough's Alternate Borough Prosecutor for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Alternate Borough Prosecutor be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 2,700 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 4-01-25-275-021; and

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

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

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

RESOLUTION 14-47 AUTHORIZE AGREEMENT-ALTERNATE PUBLIC DEFENDER
On motion of Councilwoman Stagg, seconded by Councilwoman Coira, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, it is necessary for the Borough of Oakland to engage the services of **Alternate Public Defender** for 2014; and

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

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

WHEREAS, the Borough did undertake a competitive process to select an Alternate Public Defender and solicited Requests for Qualifications in November 2013; and

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

WHEREAS, the Borough's Review Team has determined that Robert J. Kane, Esq. will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, Mayor Schwager has nominated Robert J. Kane, Esq. to serve as the Borough's Alternate Public Defender for the year 2014; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Oakland that said Alternate Public Defender be and is hereby appointed for the year 2014; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 1,800 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 4-01-43-495-021; and

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

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

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

RESOLUTION 14-48 AUTHORIZE BOUNDARY SURVEY-BLOCK 601, LOT 6
On motion of Councilwoman Stagg, seconded by Councilman Jensen, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, there is a need for surveying services to prepare a boundary survey in accordance with Green Acres requirements of the property located in Block 601, Lot 6; and

WHEREAS, Kennon Surveying Services, Inc. has submitted a proposal dated December 17, 2013, for the services required for a fee of \$14,600.00 plus \$125.00 per iron pin set at missing property corners; and

WHEREAS, Kennon Surveying Services, Inc. has submitted necessary paperwork to comply with the Borough of Oakland's Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account # 4-01-20-165-021.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Oakland authorizes Kennon Surveying Services, Inc. to provide the services as outlined in their December 17, 2013 proposal.

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

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

RESOLUTION 14-49 CHANGE ORDER 31-DPW BUILDING-DEDUCTION TEKTON
On motion of Councilwoman Stagg, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, on August 25, 2012, a contract was awarded to Tekton Development Corp. for the renovations and additions to the DPW facility in the amount of \$2,579,000; and

WHEREAS, requests were made for the following Change Order:

Change Order 31	Contract price reduction in conjunction with	
	Contract completion date extension for additional	
	Costs incurred by Borough	\$ -5,747.58

WHEREAS, the Change Order has been reviewed and recommended by the Borough's architect, Keith Lesser of S&L Architecture Studio LLC;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize Change Order 30 for a contract price reduction of \$-5,747.58 to Tekton Development Corp.

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

RESOLUTION 14-50 AMEND CONTRACT -EPIC
On motion of Councilman Jensen, seconded by Councilman Visconti, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a contract was issued to Epic Management, Inc. of Piscataway, New Jersey for Owner's Representative Services for the DPW Building Renovation Project and the contract is due to expire on January 9, 2014; and

WHEREAS, it is necessary to amend Epic's contract in order to extend an additional month to continue providing needed services while construction continues; and

WHEREAS, no additional compensation is required beyond the amount already authorized:

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the amendment to Epic Management's contract for an additional month to February 9, 2014.

Councilwoman Stagg asked if the project will be done by February 9th. Mr. Kunze advised that the DPW is occupying the building but some issues are being resolved. He explained that there is no additional cost with the Epic contract and that it is just a time extension. Councilman Pignatelli asked if there is a great deal of work to be done. Mr. Kunze responded there is less than 5% of the contract left. There are things that need to be completed. The Borough needs the owners' representative and the architect to make sure the close out of the project goes properly. There is not a lot of inspection time left just office work.

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

RESOLUTION 14-51 AMEND CONTRACT-S&L ARCHITECTURE

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

WHEREAS, a contract was issued to S&L Architecture for construction administration for the DPW Building Renovation Project; and

WHEREAS, it is necessary to amend S&L Architecture Studio's contract by an additional \$5,500.00 to continue providing needed services while construction continues; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account C-04-56-663-100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize the amendment to S&L Architecture Studio's contract for the period of January 1 through January 31, 2014 at a total cost of \$5,500.00.

Councilman Pignatelli asked if we still need the architect's services. Mr. Kunze advised this is their plan and they need to make sure the work is done to their specifications. Councilman Visconti explained that we are charging the contractor for these fees. Mr. Kunze advised that when the Borough reduces Tekton's contract it offsets the cost of these contract extensions.

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

RESOLUTION 14-52 HIRE TEMPORARY SEASONAL EMPLOYEE-DPW

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 Mayor and Council hereby authorize the hiring of the following seasonal laborer for the Department of Public Works:

NAME	EFFECTIVE DATE	SALARY
Joseph Carroll	January 23, 2014	\$ 10.50/hour

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

RESOLUTION 14-53 TRANSFER TO BUDGET RESERVES

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

WHEREAS, it has become necessary to expend funds to pay claims incurred in the previous year in excess of the amounts approved in the Fiscal 2013 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 2013 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 2013 Current Fund budget:

Current Fund

Account #	Description	From	To
3-01-20-145-105	Tax Collection - Other Expenses	\$ 8,000	
3-01-26-305-082	Garbage & Trash – Other Expenses	<u>\$ 3,000</u>	
Sub-total		\$11,000	
3-01-31-440-000	Telephone – Other Expenses		<u>\$ 11,000</u>
Sub-total			\$ 11,000

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

RESOLUTION 14-54 ENDORSE TREE CITY RECERTIFICATION APPLICATION

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

WHEREAS, the Shade Tree Commission is interested in making application to the State of New Jersey Department of Environmental Protection's Community Forestry Program for recertification of Tree City USA status for the Borough of Oakland;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby endorse the application to be submitted again and promises to support the Shade Tree Commission in the efforts to maintain Tree City USA status once recertified.

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

WORK SESSION:

SURPLUS POLICY:

Mr. Mangin advises that the Borough has been following this policy for the last few years but it has never been codified into a written policy. He explained that credit agencies look favorably on municipalities that have a written policy. The policy addresses two items-how much surplus should be held at any time and regeneration of surplus. Between 2001 and 2006, a portion of surplus was used in the budget. However, the portion put in the budget was greater than the amount that was regenerated. In 2006, that left a hole in the budget that had to be made up by a big tax increase. Beginning in 2009, we used an amount of surplus in the budget that was less than what was regenerated. Then the surplus fund can grow.

This policy sets the ideal range for where surplus should be. The ideal range is between 10 to 15% of the previous year's budget. Once the Annual Financial Statement is filed February 10th, the CFO does an analysis. If the fund balance falls below 10%, the CFO comes up with a financial plan to raise this within two years. If the fund balance is greater than 15%, then that amount is put in the budget and is offset with an appropriation. It could be used to reduce short-term debt and eventually increase the capital improvement fund.

Mr. Mangin reiterated that the policy states that the Borough is not going to use revenue in the budget in an amount greater than what is regenerated. If the surplus falls below 10%, it is going to be brought up. If it falls above 15%, an amount will be put in the budget and will be offset with an appropriation. The policy looks good to credit agencies in terms of the issue of bonds and notes. He explained that the Borough has been getting good rates on our note sales but investors are not looking favorably at New Jersey municipalities. Moody's has been downgrading many New Jersey municipalities. However, they have offered suggestions on how to bring up the credit rating and having a written surplus policy is one of the suggestions. Mr. Mangin advised that the policy can be reversed at any time.

Mayor Schwager thanked Mr. Mangin. She advised that Mr. Mangin is leaving the Borough of Oakland so this will be his last policy. She wished him the best of luck in his new municipality. She advised that Mr. Mangin took a complicated issue and simplified it for the Council. Mr. Kunze advised that a resolution to adopt this policy will be listed on the next agenda.

PAYMENT OF CLAIMS POLICY:

Councilman Jensen advised that the policy that is in place for payment of claims has redundancy in the system for accountability and review. A couple of years ago, the ordinance was changed to lower the threshold for Council signatures. However, we are not following the ordinance. He advised that the process is cumbersome. Oversight can still be accomplished by reviewing the bills list. If a Councilperson needs further information, they can contact the Borough Administrator. Mr. Kunze advised that payment of bills is a multi-step process. There are a

minimum of two staff signatures, Department Head signature, Administrator signature and two Council signatures. The process is cumbersome. This has led to delays in the payment process and additional work for staff. In terms of statutory compliance, the signatures are not required by law. The Council is statutorily required to review and approve the bills list. The Council can certainly request to see any bill on the list. However, signing the vouchers does not add to oversight.

Mr. Mangin commented that there is confusion between oversight and approval. They are separate components. Everyone who signs off on the voucher does so for a reason. The funds have to be available in order to produce a requisition. The Department signs off that they receive the goods or services. The Borough Administrator signs off on the voucher. The statutory requirement of the Mayor and Council is to approve the bills list. The problem now is that we have an ordinance that is affecting the approval process. Mayor Schwager asked if delays are due to Council people not coming in to sign. Mr. Mangin responded that was true and they are unnecessary delays. Mayor Schwager advised that when she took office, the Council did not have to sign if a voucher was under \$ 1,000. She felt it was important to know what is going on in the Departments so the threshold was lowered to \$500 for the Council liaison. She thought it was important. She explained that it is not so much oversight as being aware of what is going on with the Departments. It is important for the Elected officials to review what is happening with the Departments. She asked the Council people to go to Borough Hall once per week to sign vouchers. Mr. Mangin responded that the only way that would work is if Council came in on Thursday or Friday morning to sign everything.

Councilman Jensen commented that if he is away on business, he is not going to be back to sign vouchers on time. He reiterated that the Council can get an idea of Department expenditures by reviewing the bills list. Mayor Schwager questioned how many Council people actually read the bills list. Councilman Jensen commented that once the new network system is established, the Council may be able to go into Edmunds to look at expenditures as well. Mayor Schwager commented that she wants a procedure so that each Councilperson knows what is going on in their department. Councilman Pignatelli commented that when the Council approves the budget, they know what each department is going to spend line item by line item. He commented that the Council trusts the Department Heads to spend money according to their approved budget. After the Department Head gets the best price for an item, it goes to the CFO to certify the funds are available and then the Administrator has to approve.

Mayor Schwager reiterated that she wants some procedure so that each Councilperson knows what is happening. Mr. Kunze explained that the Council sets the spending limits for each department when they approve the budget. Throughout the year, the Council approves Capital expenditures and contracts before the money is spent. He would like the Council to take the big picture view and not focus on how much the DPW is spending on auto parts each month. Mayor Schwager responded that she still thinks it is important for the Council to know what the departments are spending. Mr. Kunze advised that the Council can be given reports for each department. Mr. Mangin commented that the approval process falls to the Administrator and payment of bills falls to the CFO. The goods have already been received so nothing should be interfering with the payment process. The Council can get copies of the vouchers after they are paid. Councilman Jensen would like to try the Council getting the vouchers after they are paid. That way it does not interfere with the payment process. Mr. Chewcaskie advised that the ordinance currently calls for Council signature. The ordinance needs to be amended to say Council approval is not necessary. Councilman Jensen advised there are other items in the ordinance that need to be amended. Mayor Schwager asked that the Finance Committee should sit with the Borough Attorney to amend the ordinance.

BOSWELL PROPOSALS-2014 ROAD PROGRAM AND DISCRETIONARY AID APPLICATION

Mr. Kunze advised that we want to do the 2014 Road program in the spring and not the summer due to new CDBG guidelines. Therefore, Boswell submitted a proposal for the design and construction inspection. Boswell has also submitted a proposal to file a Discretionary Aid application for work to be done on West Oakland Ave. between the exit ramp for 287 and Skyline Drive. Councilman Pignatelli questioned the \$650,000 expenditure for the Road program. Mr. Kunze explained that in 2013, the Council allocated funding for \$600,000 and there was residual money left from 2011 and 2012 which would amount to an additional \$50,000 to \$100,000. That is for soft costs and construction.

Kevin Boswell advised that West Oakland Ave. is a County road from Route 202 to the base of Skyline Drive. However, there is a question of jurisdiction from Skyline Drive to Pompton Lakes. The State is responsible for the on/off ramps for Route 287. Boswell will submit an application for Discretionary Aid so that the Borough can do the work.

Resolutions will be listed on the February 12th agenda.

IDA CONTRACT RENEWAL:

Mr. Kunze advised that the Borough has had a contract with Insurance Design Administrators for services as a third-party administrator for self-funded vision program and retiree reimbursements. Mr. Kunze would like to renew the contract at the same terms. A resolution will be listed on February 12th.

INTERLOCAL AGREEMENT WITH FRANKLIN LAKES FOR BRINE

Mr. Kunze advised that the Borough just finished a two-year agreement with Franklin Lakes for the sale of brine. Franklin Lakes was buying brine from us at a reduced cost as to what they would pay an outside vendor. Councilman Pignatelli commented it is great public relations to help a sister community. Mayor Schwager commented it is good for the Borough financially.

COUNCIL REPORTS:

Councilman Kulmala: The Planning Board held its reorganization on January 9th. The Chairman is Tom Potash, the Vice-Chairman is John Morris, and Secretary is Elaine Rowin. All the professionals were reappointed. There was no quorum for the OCC meeting on January 15th so they will not meet until next month.

Councilman Visconti: The Flood Commission was supposed to have a report on the Community Rating system. However, Agnoli could not attend the meeting. The Flood Commission is working on the communication portion of the CRS program. The next meeting will be the second Monday in February at the Senior Center. The Park Committee met January 14th. There was another Scout presentation on reworking the entrance to the park. It will come to the Council for approval. Boswell did a draft plan for the park which will be sent to the DEP. The next Park meeting will be held on February 11th at 8 pm at the Danny D'Elia Building. The meeting is open to the public.

Councilwoman Stagg: No report.

Councilman Pignatelli: The Board of Health did not meet due to the storm. He attended the Fire Department meeting and they are doing a great job getting the new engine outfitted. The Mayor

received an email complimenting Detective Piercy from the Police Department on how courteous he was.

Councilman Jensen: The next Public Events Committee meeting will be held February 10th. The schedule of events for the year is as follows: Easter Egg Hunt is April 12th, Memorial Day Parade is May 25th, Carnival is June 25th through 28th, Halloween Parade is October 25th, Holiday Lighting December 7th.

Mr. Mangin thanked the Governing Body for their support. He thanked the dedicated and hard-working staff of the Finance Department. He thanked Mr. Kunze, Councilman Visconti and former Councilman Frank Di Pentima who comprised the Finance Committee when he was hired. Frank Di Pentima had a vision of what the finances of Oakland should be and Mr. Mangin worked to accomplish those goals. Mr. Mangin is going to miss Oakland a lot because it is a great community.

Councilman Pignatelli thanked Mr. Mangin.

Councilwoman Coira: She thanked Mr. Mangin and advised he has done a fantastic job. The Recreation baseball and softball signups will end February 1st. The new Garbage and Recycling newsletter is now available.

OPENED FOR PUBLIC DISCUSSION:

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

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

No comments made.

CLOSED FOR PUBLIC DISCUSSION:

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

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

BILLS TO BE PAID:

On motion of Councilman Jensen, 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, Kulmala, Pignatelli, Stagg, Visconti.

MEETING ADJOURNED:

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the meeting be adjourned at 9:13 pm.

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

Lisa M. Duncan, Borough Clerk
February 12, 2014

Mayor Linda H. Schwager

Date Approved