

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY JANUARY 28, 2015

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Visconti, seconded by Councilman Kulmala, 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:  
Sewer negotiations, PBA labor negotiations
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, Pignatelli, Talamini, Visconti.

Discussion ensued over Sewer negotiations and PBA labor negotiations. No action taken.

CLOSE EXECUTIVE SESSION:

On motion of Councilman Talamini, seconded by Councilwoman Coira, the Executive Session be closed.

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

MEETING CALLED TO ORDER: By Mayor Schwager at 7:35 pm.

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini, Visconti. Absent: None. Also Present: Lisa M. Duncan, Borough Clerk; Richard Kunze, Borough Administrator; Brian Chewcaskie, Borough Attorney.

SALUTE TO THE FLAG:

MOMENT OF SILENCE:

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

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**OATH OF OFFICE TO FIRE DEPARTMENT OFFICERS:**

Mayor Schwager administered the Oath of Office to Assistant Fire Chief Dave Hutsebaut and Fire Captain Vincent Incorvaia.

**OATH OF OFFICE TO NEW FIREFIGHTER:**

Mayor Schwager administered the Oath of Office to Scott Schwager as a firefighter for the Oakland Volunteer Fire Department.

**MAYOR'S REPORT:**

The Indian Hills mock trial team won the quarterfinals and will perform in the semifinals tomorrow. Mayor Schwager commented that there was no blizzard this week but it was better to be cautious. She reminded residents to clear hydrants of snow so the Fire Department can do their work if there is a fire. She advised that last Sunday, many people fell on the ice. She read an email from a resident who fell and broke his hip. He commended the Police and First aid squad.

**OPENED FOR PUBLIC DISCUSSION:**

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

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

No comments.

**CLOSED FOR PUBLIC DISCUSSION:**

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

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

**APPROVAL OF MINUTES: JANUARY 4, 2015 OATH OF OFFICE**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the minutes from the Mayor and Council Oath of Office meeting of January 4, 2015 be approved.

ROLL CALL: Yeas, Councilmembers Coira, Jensen, Kulmala, Pignatelli, Talamini.  
Abstain, Councilman Visconti.

**APPOINTMENTS TO BOARD OF HEALTH:**

Mayor Schwager brought forth the nomination of JoAnn Ashkenazi and Yuval Ashkenazi for appointment to the Board of Health for three-year terms.

**MOTION TO CONSENT:**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council consented to the appointment of JoAnn Ashkenazi and Yuval Ashkenazi to the Board of Health.

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

**APPOINTMENTS TO GREEN TEAM:**

Mayor Schwager brought forth the nomination of Edward Clark and Laura Nugent for reappointment to the Green Team.

**MOTION TO CONSENT:**

On motion of Councilman Jensen, seconded by Councilwoman Coira, the Council consented to the appointment of Edward Clark and Laura Nugent to one-year terms on the Green Team.

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

**APPROVE SIGN REQUEST-FLOW FOLLIES**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, the Council approved the request from Flow Follies to put a sign at Bush Plaza to advertise their production to take place March 5-8, 2015.

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

**RESOLUTION 15-47 AUTHORIZE TAX APPEAL SETTLEMENT-20 VAN VOOREN DR.**

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

WHEREAS, PSEG Services Corp., owner of property known as Block 3601, Lot 41, located at 20 Van Vooren Drive, appealed the 2010, 2011, 2012, 2013 and 2014 real property tax assessments imposed by the Borough; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled PSEG Services Corp. vs. Borough of Oakland, wherein for tax year 2010, the assessment of \$7,611,800 will be reduced to \$7,000,000; for 2011, the taxpayer will withdraw the complaint, and the

assessment of \$6,679,600 will remain intact; for tax year 2012, the assessment of \$6,679,600 will be reduced to \$6,400,000; for tax year 2013, the assessment of \$6,679,600 will be reduced to \$6,400,000; and for tax year 2014, the assessment of \$6,679,600 will be reduced to \$6,400,000, resulting in a total refund, for all years, of \$34,376; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund, as long as payment is made within 60 days of the issuance of a Tax Court Judgment, or April 15, 2015, whichever is later.

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

#### RESOLUTION 15-48 AUTHORIZE TAX APPEAL SETTLEMENT-13 RAMAPO VALLEY ROAD

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

WHEREAS A-1 Management, LLC, owner of property known as Block 2517, Lot 2, located at 13 Ramapo Valley Road, appealed the 2012, 2013 and 2014 real property tax assessments imposed by the Borough; and

WHEREAS, the Borough Assessor, Borough Appraiser and Tax Appeal Attorney have recommended a settlement of the litigation, which is in the best interests of the Municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Tax Appeal Attorney be and he is hereby authorized and directed to execute any and all documents necessary in order to effectuate a settlement of the appeals entitled A-1 Management, LLC vs. Borough of Oakland, wherein for tax year 2012, the taxpayer will withdraw the complaint, and the assessment of \$1,434,400 will remain intact; for tax year 2013, the assessment of \$1,434,400 will be reduced to \$1,100,000; for tax year 2014, the assessment of \$1,434,400 will be reduced to \$1,100,000, and for tax year 2015, the assesment will be changed to \$950,000, resulting in a total refund, for all years of \$17,311; and

BE IT FURTHER RESOLVED that the aforesaid settlement is predicated upon a waiver of payment of interest on any refund, as long as payment is made within 60 days of the issuance of a Tax Court Judgment, or April 15, 2015, whichever is later.

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

#### RESOLUTION 15-49 AUTHORIZE LETTER OF AGREEMENT-MUNICIPAL ALLIANCE GRANT

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

BE IT RESOLVED that Mayor Linda H. Schwager and Chief Financial Officer Donna Mollineaux be authorized to sign the Letter of Agreement for the 2014 Municipal Alliance Grant in the amount of \$ 9,876.00.

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

RESOLUTION 15-50 AUTHORIZE AGREEMENT-BOROUGH ATTORNEY

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Attorney be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Borough Attorney for the year 2015 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 # 5-01-20-155-027 (retainer) and \$ 47,000 is available in Account #5-01-20-155-028 (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, Talamini, Visconti.

**RESOLUTION 15-51 AUTHORIZE AGREEMENT-BOROUGH ENGINEER**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Engineer be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Borough Engineer for the year 2015 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 \$24,280 (\$14,280 retainer and \$ 10,000 allowance for minor engineering projects billed on a time and material basis) without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account # 5-01-20-165-021 \$ 14,280 and Account# 5-01-20-165-100 \$ 10,000; 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, Talamini, Visconti.

**RESOLUTION 15-52 AUTHORIZE AGREEMENT BOROUGH AUDITOR**

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of Borough Auditor for 2015; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Borough Auditor and solicited Requests for Qualifications in November 2014; 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 Frank DiMaria of the firm of DiMaria and DiMaria will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Council has nominated Frank DiMaria and the firm of DiMaria and DiMaria to serve as Borough Auditor for the year 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Auditor be and is hereby appointed for the year 2015 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Auditor for the year 2015 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount, excluding work charged to the Borough's various Capital accounts set forth in their contract, shall not exceed

\$37,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 5-01-20-135-028; and

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

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

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

#### RESOLUTION 15-53 AUTHORIZE AGREEMENT-BOND COUNSEL

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Bond Counsel be and is hereby appointed for the year 2015; 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, Talamini, Visconti.

RESOLUTION 15-54 AUTHORIZE AGREEMENT-RISK MANAGER HEALTH BENEFITS  
On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2015 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, Talamini, Visconti.

#### RESOLUTION 15-55 AUTHORIZE AGREEMENT-RISK MANAGER LIABILITY

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Risk Manager be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Risk Manager for the year 2015 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, Talamini, Visconti.

#### RESOLUTION 15-56 AUTHORIZE AGREEMENT BOROUGH PLANNER

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

WHEREAS, it is necessary for the Borough of Oakland to engage the services of Borough Planner for 2015; and

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

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

WHEREAS, the Borough did undertake a competitive process to select a Borough Planner and solicited Requests for Qualifications in November 2014; 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 Steve Lydon of the firm of Burgis Associates will be the most advantageous to the Borough, all relevant factors considered; and

WHEREAS, the Borough Council has nominated Steve Lydon and the firm of Burgis Associates to serve as Borough Planner for the year 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Planner be and is hereby appointed for the year 2015 pursuant to a "fair and open" process; and

BE IT FURTHER RESOLVED, that compensation for said Borough Planner for the year 2015 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-18 and pursuant to agreement to be entered into between the parties; and

BE IT FURTHER RESOLVED that the not to exceed contract amount shall not exceed \$ 8,000 without further authorization of the Governing Body and the Chief Financial Officer has certified that the funds are available in Account# 5-01-20-165-022 ; and

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

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

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

#### RESOLUTION 15-57 AUTHORIZE AGREEMENT-WATER & SEWER ENGINEER

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 Water & Sewer Engineer for 2015; and

WHEREAS, funds will be available by way of budget to compensate said Water & Sewer 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 Water & Sewer Engineer and solicited Requests for Qualifications in November 2014; 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 Boswell McClave Engineering, Inc. 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, Inc. to serve as the Water & Sewer Engineer for the year 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Water & Sewer Engineer be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Water & Sewer Engineer for the year 2015 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 contract amount shall not exceed \$ 17,000.00 without further authorization of the Governing Body and the Chief Financial Officer has certified that funds are available in Account # 5-05-55-502-028 -\$14,500 and Account # 5-07-55-501-029-\$ 2,500; 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, Talamini, Visconti.

#### RESOLUTION 15-58 AUTHORIZE AGREEMENT-LABOR ATTORNEY

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Labor Attorney be and is hereby appointed for the year 2015; and

BE IT FURTHER RESOLVED, that compensation for said Labor Attorney for the year 2015 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 # 5-01-20-155-029; 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, Talamini, Visconti.

#### RESOLUTION 15-59 AUTHORIZE AGREEMENT BOROUGH PROSECUTOR

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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's Borough Prosecutor for the year 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Borough Prosecutor be and is hereby appointed for the year 2015; 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 #5-01-25-275-021 ; 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, Talamini, Visconti.

#### RESOLUTION 15-60 AUTHORIZE AGREEMENT ALTERNATE PROSECUTOR

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Borough Prosecutor be and is hereby appointed for the year 2015; 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 # 5-01-25-275-021; 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, Talamini, Visconti.

#### RESOLUTION 15-61 AUTHORIZE AGREEMENT-PUBLIC DEFENDER

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Public Defender be and is hereby appointed for the year 2015; 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 #5-01-43-495-021; 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, Talamini, Visconti.

#### RESOLUTION 15-62 AUTHORIZE AGREEMENT-ALTERNATE PUBLIC DEFENDER

On motion of Councilman Pignatelli, seconded by Councilman Jensen, 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 2015; 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 2014; 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 2015; and

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Oakland that said Alternate Public Defender be and is hereby appointed for the year 2015; 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 # 5-01-43-495-021; 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, Talamini, Visconti.

#### RESOLUTION 15-63 TEMPORARY BUDGET AMENDMENT

On motion of Councilwoman Coira, seconded by Councilman Kulmala, 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

Account #	Description	Temporary Budget	Amendment
5-01-23-210-000	Insurance-Liability	\$120,250	\$ 300,000
5-01-27-335-100	Environmental Commission-Misc.	\$ 260	\$ 400
5-01-25-260-100	Contribution to First Aid Squad	\$ 7,800	\$ 30,000
5-01-26-306-010	Snow Removal –S &W	\$ 15,600	\$ 40,000
5-01-26-306-058	Snow Removal –Materials	\$ 19,760	\$ 60,000

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

#### RESOLUTION 15-64 BUDGET RESERVE TRANSFER

On motion of Councilwoman Coira, seconded by Councilman Kulmala, 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 2014 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 2014 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 2014 Current Fund budget:

Current Fund

Account #	Description	From	To
4-01-25-240-010	Police-S &W Perm. Full Time	\$ 10,700	
Sub-total		\$ 10,700	
4-01-25-240-042	Police-Other exp. Professional Dev.		\$ 7,700
4-01-20-130-029	Finance-Other exp. ADP services		\$ 3,000
Sub-total			\$ 10,700

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

RESOLUTION 15-65 REFUND TAXES-TAX COURT JUDGMENT-BLOCK 301, LOT 5  
On motion of Councilwoman Coira, seconded by Councilman Kulmala, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, a Tax Court Judgment was entered on January 16, 2015, in the matter of Bayview Filmed Entertainment, LLC v. Oakland Borough, Docket No. 003920-2014, reducing the assessment of Block 201, Lot 5, 40 Edison Avenue to \$900,000.00 for the Tax Year 2014; and

WHEREAS, a refund of the 2014 property taxes is now due to Bayview Filmed Entertainment, LLC, c/o Andrew S. Kessler, Esq., in the amount of \$2,791.16;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland, upon the advice of the Tax Collector, do hereby authorize a check be issued to Bayview Filmed Entertainment, LLC, c/o Andrew S. Kessler, Esq., in the amount of \$2,791.16.

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

RESOLUTION 15-66 REFUND COAH FEE-BLOCK 3204, LOT 5  
On motion of Councilwoman Coira, seconded by Councilman Kulmala, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, the owner of premises located at 118 Bauer Drive, also known as Block 3204, Lot 5, received a preliminary site plan approval in 2008 on this particular property, in order to expand the commercial industrial building; and

WHEREAS, the development of the property has been completed, and the Certificate of Occupancy was issued at the end of 2014; and

WHEREAS, the owner of the premises submitted a COAH fee in the amount of \$22,370 in or about the beginning of January, 2015; and

WHEREAS, since the approvals were obtained prior to 07/01/2013, and a building permit issued prior to 07/01/15, no COAH fee should have been levied, as same is exempt from COAH fee collection; and

WHEREAS, the Tax Assessor is in agreement that the project is exempt from COAH fee collection;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Oakland that the COAH fee inadvertently collected by the Borough from the owner of 118 Bauer Drive in the amount of \$22,370 shall be refunded as soon as practicable by the CFO.

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

#### RESOLUTION 15-67 AUTHORIZE PRELIMINARY EXPENSES-SEWER FEASIBILITY STUDY

On motion of Councilwoman Coira, seconded by Councilman Kulmala, 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 construction of sanitary sewer infrastructure 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 Sewer Capital Fund an account designating "Reserve for Preliminary Expenses – Sanitary Sewer Infrastructure Improvements" in the amount of \$25,000.
- 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 Sewer Capital Improvement Fund.

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

**RESOLUTION 15-35 AUTHORIZE BOSWELL-SEWER FEASIBILITY STUDY**

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

WHEREAS, there is a need for the Borough of Oakland to do a Sewer Feasibility Study; and

WHEREAS, Boswell McClave Engineering submitted a proposal dated December 8, 2014, for the services required at a cost not to exceed \$25,000; and

WHEREAS, Boswell McClave has submitted all the paperwork necessary to comply with the Borough of Oakland's Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-07-00-001-003;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize Boswell McClave to prepare a Sewer Feasibility Study at a cost not to exceed \$25,000; and

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

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

**RESOLUTION 15-68 AUTHORIZE PRELIMINARY EXPENSES-NJEIT WATER SYSTEM IMPROVEMENT**

On motion of Councilwoman Coira, seconded by Councilman Kulmala, 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 water system improvements, including but not limited to, a new meter reading system, backup well, and emergency generators, 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 Water Capital Fund an account designating “Reserve for Preliminary Expenses – NJEIT Water System Improvements” in the amount of \$135,000.
- 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, Kulmala, Pignatelli, Talamini, Visconti.

**RESOLUTION 15-41 AUTHORIZE BOSWELL-PREPARATION OF NJEIT SUBMITTAL FOR WATER SYSTEM IMPROVEMENTS**

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

WHEREAS, there is a need for Engineering Services for the preparation of documents to submit to the New Jersey Environmental Infrastructure Trust (NJEIT) Program; and

WHEREAS, Boswell McClave Engineering submitted a proposal dated December 12, 2014, for the services required at a cost not to exceed \$135,000; and

WHEREAS, Boswell McClave has submitted all the paperwork necessary to comply with the Borough of Oakland’s Pay-to-Play requirements; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C06-01-001-003;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Oakland hereby authorize Boswell McClave to prepare documents required to submit to the NJEIT Program at a cost not to exceed \$135,000; and

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

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

**FINAL PUBLIC HEARING: ORDINANCE NO. 15-CODE-712**

The Clerk was directed to take from the table Ordinance No.15 Code-712 and read by title for its final hearing.

The Clerk then read by title an Ordinance entitled " AN ORDINANCE AMENDING SECTION 2-5 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF OAKLAND ENTITLED "POLICE DEPARTMENT"

**OPENED FOR PUBLIC DISCUSSION:**

On motion of Councilman Pignatelli, seconded by Councilman Jensen, this portion of the meeting be open 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, Talamini, Visconti.

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

**BE IT RESOLVED** that an Ordinance entitled, An Ordinance Amending Section 2-5 Of The Revised General Ordinances Of The Borough Of Oakland Entitled "Police Department", be adopted;

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

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

**WORK SESSION:**

**SHARED SERVICE AGREEMENT WITH BOARD OF EDUCATION:**

Mr. Kunze explained that the Board of Education is looking to pave the lower lot at Valley Middle School. A small portion of that is Borough property so the Attorney felt a shared service agreement was necessary. A resolution will be listed on the next agenda.

**BOND REDUCTION:**

Mr. Kunze advised that the developer for the Smith Pond Subdivision requested a reduction in Performance Bond. Kevin Boswell, Borough Engineer, advised that the Borough will retain 30% until the final release and then will require a maintenance bond to be issued. Mayor Schwager commented that residents are concerned about the emergency exit from the Industrial Park. Mr. Boswell will follow up. Mr. Chewcaskie advised that prior to release of the bond, the Building

Department and Boswell will need to sign off. A resolution authorizing the reduction in bond will be listed on the next agenda.

Mr. Boswell thanked the Mayor and Council for the appointment and advised that he takes the obligation seriously.

#### COUNCIL REPORTS:

Councilman Talamini: The schools' winter concerts were well attended. The K-8 schools will be closed on February 16<sup>th</sup> and 17<sup>th</sup> for winter break. The Board of Education wanted to thank the DPW for clearing the snow. Councilman Talamini advised that he is looking into whether students can help clear fire hydrants.

Councilman Kulmala: He advised about the process OEM goes through for storm readiness. The next meeting of the OEM will be held February 18<sup>th</sup>. There will be a CERT team meeting at Borough Hall on February 4<sup>th</sup> at 7 pm. The OCC will hold a reorganization meeting on January 21<sup>st</sup>. They will revisit the topic of social media and the website. The OCC is working on a social media policy which will be brought to the Mayor and Council. They are reaching out to the community to see what the community wants to see on Channel 77.

Councilman Visconti: The next Flood Commission meeting will be held February 9<sup>th</sup> at 7:30 pm. The next Park Committee meeting will be held February 10<sup>th</sup> at 8 pm at the Danny D'Elia building. The Library Board had a presentation by the architect on the Library project.

Councilman Pignatelli: He thanked the Fire Department and congratulated the First Aid Squad on their 60<sup>th</sup> Anniversary. The Board of Health met and the Chairman is Stephen Tiffinger and the Vice-chair is Daria Blanco. Environmental Commission meeting was held the same night so he could not attend. He asked residents to please shovel sidewalks and fire hydrants because they will be fined for non-compliance.

Councilman Jensen: The Planning Board held their re-organization meeting. The next meeting will be held on February 12<sup>th</sup> at the Senior Center. He advised that budget meetings must be scheduled. He proposed the following dates: February 14, 19, 21, 26 and March 5 and 7<sup>th</sup>. Everyone should look at their calendars and can decide at the next meeting. He announced that twenty years ago was the space shuttle Challenger disaster. He thanked astronauts for their services.

Councilwoman Coira: The Recreation Commission meeting was cancelled Monday and was rescheduled to Monday February 2<sup>nd</sup>. The last day for baseball and softball signups will be Saturday. The next Rutgers course will be held March 13<sup>th</sup>. The Shade Tree Commission will meet Monday February 2<sup>nd</sup> at 7 pm.

Councilman Visconti thanked Library Director Abby Sanner who retired. She really helped the Library reformulate and brought new programs in. He wished her well in her retirement.

#### OPENED FOR PUBLIC DISCUSSION:

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

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

**BILLS TO BE PAID:**

On motion of Councilman Jensen, seconded by Councilman Pignatelli, 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, Talamini, Visconti.

**MEETING ADJOURNED:**

On motion of Councilman Pignatelli, seconded by Councilman Visconti, the meeting be adjourned at 8:16 pm.

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

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Lisa M. Duncan, Borough Clerk  
February 11, 2015

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Mayor Linda H. Schwager

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Date Approved