

REGULAR MEETING OF THE MAYOR AND COUNCIL  
HELD AT THE  
MUNICIPAL COURT /COUNCIL CHAMBERS  
10 LAWLOR DRIVE, OAKLAND, NEW JERSEY  
WEDNESDAY JANUARY 9, 2019

MOVE TO EXECUTIVE SESSION:

On motion of Councilman Knapp, seconded by Councilman Levy, 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:  
Personnel; Network security; Negotiation-holiday switch; Tax Appeal Settlement; Affordable Housing update.
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 Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

No action taken.

CLOSE EXECUTIVE SESSION:

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

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

ROLL CALL: Mayor Schwager called the meeting to order and the Clerk called the roll. Present: Mayor Schwager, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini. 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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**MAYOR'S REPORT:**

The DPW will pick up Christmas trees during the month of January. All decorations must be removed. Bids have been sent out for demolition of the Roosevelt properties. Bids will be opened on February 5<sup>th</sup>. The Borough will have a paper shredding event on May 11<sup>th</sup>. The Patriot's Way Bridge opened at 7 am this morning with no weight limit. Mayor Schwager thanked the State of NJ for doing the temporary repairs.

**OPENED FOR PUBLIC DISCUSSION:**

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Donald Burns, 22 Whittier Lane, commented that he did not vote for local candidates this past November since the parties came to an agreement not to run other candidates.

**CLOSED FOR PUBLIC DISCUSSION:**

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**APPROVAL OF MINUTES: DECEMBER 19, 2018**

On motion of Councilman Biale, seconded by Councilman Kulmala, the minutes from the Mayor and Council meeting of December 19, 2018 be approved.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Talamini.  
Abstain, Councilman Pignatelli.

**COUNCIL COMMITTEES AND LIAISONS:**

Council President Knapp read the list of Committee and Liaison assignments for 2019:

**COUNCIL COMMITTEES FOR 2019**

Finance Committee	Chairperson Member	Russ Talamini Lew Levy
Public Safety Committee Police-Fire-First Aid-Municipal Court	Chairperson Member	Bob Knapp Pat Pignatelli
D.P.W. Committee Roads-Solid Waste-Recycling Building and Grounds	Chairperson Member	John Biale Bob Knapp
Water And Sewer	Chairperson Member	Eric Kulmala John Biale
Inter Governmental Relations/Administration	Chairperson Member	Pat Pignatelli Russ Talamini
Land Use Committee Planning & Board of Adjustment	Chairperson	Lew Levy

**COUNCIL LIAISONS**

Public Events & Community Events	Russ Talamini
Environmental Commission	Pat Pignatelli
Local and Regional Schools	Russ Talamini
Senior Citizens Liaison	John Biale
Board of Health	Pat Pignatelli
Emergency Management	Bob Knapp
Flood Commission	Lew Levy
Recreation Commission	Eric Kulmala
Municipal Alliance	Bob Knapp
Communications Commission	Eric Kulmala
Shade Tree Commission	Lew Levy
Downtown Improvement	Lew Levy
Library	Eric Kulmala
Historical Preservation	John Biale
Park Committe	Bob Knapp

Mayor Schwager reminded residents that the Senior Center is now closed through March to work on the new Fire Suppression System. The Planning Board will meet in the Council Chambers.

**APPOINTMENT OF BOROUGH PROFESSIONALS:****BOROUGH ATTORNEY:**

Mayor Schwager brought forth the nomination of Brian Chewcaskie from Cleary Giacobbe Alfieri Jacobs, LLC as Borough Attorney for 2019.

**Motion to Consent:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Brian Chewcaskie as Borough Attorney.

**ROLL CALL:** All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**LABOR ATTORNEY:**

Mayor Schwager brought forth the nomination of Matthew Giacobbe from Cleary Giacobbe Alfieri Jacobs, LLC as Labor Attorney for 2019.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Levy, the Council consented to the appointment of Matthew Giacobbe as Labor Attorney for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**AUDITOR:**

Mayor Schwager brought forth the nomination of Gary Vinci from Lerch, Vinci & Higgins as Borough Auditor for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Talamini, the Council consented to the appointment of Gary Vinci as Auditor for 2019.

ROLL CALL: Yeas, Councilmembers Biale, Knapp, Kulmala, Levy.  
Nays, Councilmembers Pignatelli, Talamini.

**BOROUGH ENGINEER:**

Mayor Schwager brought forth the nomination of Kevin Boswell of Boswell Engineering as Borough Engineer for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the appointment of Kevin Boswell as Borough Engineer for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**WATER AND SEWER ENGINEER:**

Mayor Schwager brought forth the nomination of Kevin Boswell of Boswell Engineering as Water & Sewer Engineer for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Kevin Boswell as Water & Sewer Engineer for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**BOND COUNSEL:**

Mayor Schwager brought forth the nomination of Steven Rogut of Rogut McCarthy as Bond Counsel for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Steven Rogut as Bond Counsel for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**BOROUGH PLANNER:**

Mayor Schwager brought forth the nomination of Steve Lydon of Burgis Associates as Borough Planner for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Steve Lydon as Borough Planner for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RISK MANAGER-PROPERTY & CASUALTY:**

Mayor Schwager brought forth the nomination of Brown & Brown as Risk Manager for Property & Casualty for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Brown & Brown as Risk Manager for Property and Casualty for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**BOROUGH PROSECUTOR:**

Mayor Schwager brought forth the nomination of Andrew Cimiluca as Borough Prosecutor for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Andrew Cimiluca as Borough Prosecutor for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**ALTERNATE PROSECUTOR:**

Mayor Schwager brought forth the nomination of Andrew Roth as Alternate Borough Prosecutor for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Andrew Roth as Alternate Prosecutor for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**PUBLIC DEFENDER:**

Mayor Schwager brought forth the nomination of Jennifer Blum as Public Defender for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Jennifer Blum as Public Defender for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**ALTERNATE PUBLIC DEFENDER:**

Mayor Schwager brought forth the nomination of Toni Ann Marabello as Alternate Public Defender for 2019.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Toni Ann Marabello as Alternate Public Defender for 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:**

**PLANNING BOARD:**

Mayor Schwager reappointed Thomas Potash to a four-year term on Planning Board to expire December 31, 2022. Mayor Schwager reappointed Lee Haymon to a four-year term on the Planning Board to expire December 31, 2022. Mayor Schwager appointed Tom Connolly to a four-year term on the Planning Board to expire on December 31, 2022. Mayor Schwager appointed John Madden to an unexpired four-year term to expire December 31, 2020. Mayor Schwager appointed Michael Rose as Alternate 1 with a term to expire on December 31, 2020. Mayor Schwager appointed Joseph Marscovetra to an unexpired term as Alternate 2 to expire December 31, 2019.

**BOARD OF ADJUSTMENT:**

Mayor Schwager brought forth the nomination of Anthony Smid for reappointment to a four-year term on the Board of Adjustment.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Knapp, the Council consented to the reappointment of Anthony Smid to a four-year term on the Board of Adjustment to expire December 31, 2022.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mayor Schwager brought forth the nomination to move Michael Rose to a four-year term on the Board of Adjustment.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Knapp, the Council consented to the appointment of Michael Rose to a four-year term on the Board of Adjustment to expire December 31, 2022.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mayor Schwager brought forth the nonnomination of Sherry Campanelli as Alternate 1 on the Board of Adjustment.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Sherry Campanelli as Alternate 1 on the Board of Adjustment to expire December 31, 2020.

Mayor Schwager brought forth the nomination of Vivian King for appointment to an unexpired term as Alternate 2 on the Board of Adjustment.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Knapp, the Council consented to the appointment of Vivian King to an unexpired term as Alternate 2 on the Board of Adjustment to expire December 31, 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

BOARD OF HEALTH:

Mayor Schwager brought forth the nomination of Leonard Provenzale for reappointment to a three-year term on the Board of Health.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the reappointment of Leonard Provenzale to a three-year term on the Board of Health to expire on December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

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

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the reappointment of Michael Talucci to a three-year term on the Board of Health to expire on December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RECREATION COMMISSION:

Mayor Schwager reappointed Vivian King and Robert Scalabrini to five-year terms on the Recreation Commission to expire December 31, 2023.

COMMUNICATIONS COMMISSION:

Mayor Schwager brought forth the nomination of James Barry for reappointment to a three-year term on the Communications Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the reappointment of James Barry to a three-year term on the Communications Commission to expire December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mayor Schwager brought forth the nomination of Salma Shamy for reappointment as Alternate 2 on the Communications Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the reappointment of Salma Shamy to a two-year term as Alternate 2 on the Communications Commission to expire December 31, 2020.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**LIBRARY BOARD:**

Mayor Schwager reappointed Anne Sorrentino-Russo to a one-year term as Mayor's Alternate on the Library Board to expire December 31, 2019. Mayor Schwager reappointed Lucile Nicolaysen to a five-year term on the Library Board to expire December 31, 2023.

**FLOOD COMMISSION:**

Mayor Schwager brought forth the nomination of Anthony Smid for reappointment to a three-year term on the Flood Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Kulmala, the Council consented to the reappointment of Anthony Smid to a three-year term on the Flood Commission to expire December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

Mayor Schwager brought forth the nomination of Ray Carroll for appointment to an unexpired term on the Flood Commission.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the appointment of Ray Carroll to an unexpired term on the Flood Commission to end December 31, 2020.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**ENVIRONMENTAL COMMISSION:**

Mayor Schwager brought forth the nomination of Alex Myers for reappointment to a three-year term on the Environmental Commission and Carol Peterson for reappointment to a two-year term as Alternate 1 on the Environmental Commission.

Motion to Consent:

On motion of Councilman Pignatelli, seconded by Councilman Biale, the Council consented to the reappointment of Alex Myers to a three-year term on the Environmental Commission to expire December 31, 2021 and the reappointment of Carol Peterson to a two-year term as Alternate 1 on the Environmental Commission to expire December 31, 2020.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**GREEN TEAM:**

Mayor Schwager advised that she will make the appointments to Green Team at the next meeting.

**SHADE TREE COMMISSION:**

Mayor Schwager appointed Robert Lascar to an unexpired term as Alternate 2 on the Shade Tree Commission to expire December 31, 2020.



**PARK COMMITTEE:**

Mayor Schwager brought forth the nomination of Mike Guadagnino, Lee Haymon, Nancy Larkin, Sandra Coira and Steven Saliani for reappointment to a one-year term on the Park Committee.

Motion to consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the reappointments of Mike Guadagnino, Leey Haymon, Nancy Larkin, Sandra Coira and Steven Saliani to one-year terms on the Park Committee to expire December 31, 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**PUBLIC EVENTS:**

Mayor Schwager brought forth the nomination of Jerri Angermueller, Thomas “Chopper” Russo, Joseph Inglima, Michael Kozak and Mame Schwarzfischer for reappointment to three-year terms on the Public Events Committee.

Motion to Consent:

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council consented to the reappointments of Jerri Angermueller, Thomas “Chopper” Russo, Joseph Inglima, Michael Kozak and Mame Schwarzfischer for three-year terms on the Public Events Committee to expire December 31, 2021.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**HOLIDAY LIGHTS COMMITTEE:**

Mayor Schwager appointed Chopper Russo, Michael Rose, John Maimone and Anthony Dier to the Holiday Lights Committee for a one-year term.

**CONSENT AGENDA RESOLUTIONS 19-01 TO 19-28:**

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

WHEREAS, in an effort to expeditiously conduct certain Borough matters, the Mayor and Council of the Borough of Oakland are desirous of adopting a Consent Agenda of Resolutions numbered 001 through 028, which are attached by title hereto and made a part hereof; and

WHEREAS, said Resolutions No. 001 through 028 inclusive have been distributed to the Mayor and all Councilmembers and all having approved and consented to their adoption in this form.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Oakland that they hereby unanimously adopt Resolutions No. 001 through 028, as set forth and attached hereto as if said Resolutions were singularly read and voted upon by the Mayor and Council.

**CONSENT AGENDA**

ROLL CALL: All Yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTIONS**

NUMBER 1 - RATE OF INTEREST ON DELINQUENT MUNICIPAL CHARGES

NUMBER 2 - PETTY CASH FUNDS

NUMBER 3 - SIGNATORIES - PAYROLL ACCOUNTS  
NUMBER 4 - OFFICIAL DEPOSITORY - MUNICIPAL COURT ACCOUNT  
NUMBER 5 - AUTHORIZATION INVEST BOROUGH FUNDS  
NUMBER 6 - SIGNATORIES - BANK ACCOUNTS  
NUMBER 7 - CASH MANAGEMENT PLAN AND INTEREST BEARING ACCOUNTS  
DEPOSITORIES  
NUMBER 8- OFFICIAL DEPOSITORIES DESIGNATED  
NUMBER 9- APPOINTING CERTIFYING OFFICERS  
NUMBER 10- CERTIFYING OFFICIAL - RAFFLES AND BINGO  
NUMBER 11- COUNTY COOPERATIVE PURCHASING PROGRAM  
NUMBER 12- AUTHORIZATION TO WIRE SCHOOL & COUNTY TAXES  
NUMBER 13- JOINT INSURANCE FUND COMMISSIONER  
NUMBER 14- JOINT INSURANCE FUND ALTERNATE COMMISSIONER  
NUMBER 15- JOINT INSURANCE FUND SAFETY DELEGATE – JASON DUNCAN  
NUMBER 16- JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE –MICHAEL  
CARELLI  
NUMBER 17-PETTY CASH  
NUMBER 18-TAX REFUNDS  
NUMBER 19-ACCELERATED TAX SALE  
NUMBER 20 -LICENSE BOROUGH PROPERTY  
NUMBER 21- PUBLIC AGENCY COMPLIANCE OFFICIAL  
NUMBER 22-POLICY REGARDING GOVERNING BODY TRAINING  
NUMBER 23-RETIREE INSURANCE RATES  
NUMBER 24-APPOINT BMED COMMISSIONER  
NUMBER 25-FACILITY USE POLICY  
NUMBER 26-ATTENDANCE POLICY  
NUMBER 27-SURPLUS POLICY  
NUMBER 28-EMERGENCY PURCHASES

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

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

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

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

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

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

RESOLUTION NO. 2 PETTY CASH FUNDS:

BE IT RESOLVED that David Young, Treasurer, be and he is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Borough Clerk for the year 2019, and

BE IT RESOLVED that David Young, Treasurer, be and he is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Department of Public Works for the year 2019, and

BE IT RESOLVED that David Young, Treasurer, be and he is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund for the Police Department for the year 2019, and

BE IT RESOLVED that David Young, Treasurer be and he is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Senior Citizen Department for the year 2019, and

BE IT RESOLVED that David Young, Treasurer be and he is hereby authorized to draw a check in the amount of Two Hundred Dollars (\$200.00) for the Petty Cash Fund of the Fire Department for the year 2019, and

BE IT FURTHER RESOLVED that said moneys are to be returned to their respective accounts at the end of 2019.

RESOLUTION NO. 3

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

RESOLUTION NO. 4

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

THE MUNICIPAL COURT ACCOUNT AND MUNICIPAL COURT BAIL  
ACCOUNT and

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

RESOLUTION NO. 5

BE IT RESOLVED by the Mayor and Council that the Treasurer of the Borough of Oakland is hereby authorized to invest Borough Funds, from time to time during the year 2019 in authorized investments as per the approved cash management plan, or with approved depositories for Borough funds, whenever it shall appear that such funds are available for investment.

RESOLUTION NO. 6

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

CURRENT CHECKING	FEDERAL/STATE GRANTS
WATER CHECKING	OPEN SPACE TRUST
CAPITAL CHECKING	PAYROLL AGENCY
WATER CAPITAL CHECKING	PAYROLL ACCOUNT
SEWER CHECKING	AFFORDABLE HOUSING TRUST
TRUST CHECKING	UNEMPLOYMENT TRUST
ANIMAL CONTROL CHECKING	MUNICIPAL COURT REFUND
HEALTH BENEFITS CHECKING	CLAIMS ACCOUNT
SANITARY LANDFILL CHECKING	
SEWER CAPITAL CHECKING	FEDERAL/STATE GRANTS

## RESOLUTION NO. 7

CASHMANAGEMENT PLAN AND  
INTEREST BEARING ACCOUNTS:

BE IT RESOLVED that the Mayor and Council approve the Cash Management Plan for 2019 (copy attached after Resolutions) and:

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

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

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

## RESOLUTION NO. 8

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

## LIEN REDEMPTION ACCOUNT and

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

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

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

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

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

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

HEALTH BENEFITS CLAIMS ACCOUNT; and

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

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

THE ANIMAL CONTROL ACCOUNT

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

RESOLUTION NO. 9 APPOINTING CERTIFYING OFFICERS:

BE IT RESOLVED, that the following were appointed certifying officers for the year 2019:

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

RESOLUTION NO. 10 CERTIFYING OFFICIAL - RAFFLES AND BINGO:

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

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

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

**RESOLUTION NO. 11 COUNTY COOPERATIVE PURCHASING PROGRAM**

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

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

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

**RESOLUTION NO. 12**

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

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

**RESOLUTION NO. 13 JOINT INSURANCE FUND COMMISSIONER.**

BE IT RESOLVED that Borough Administrator Richard Kunze be appointed Joint Insurance Fund Commissioner for the year 2019.

**RESOLUTION NO. 14 JOINT INSURANCE FUND ALTERNATE COMMISSIONER**

BE IT RESOLVED that Michael Carelli be appointed Joint Insurance Fund Alternate Commissioner for the year 2019.

**RESOLUTION NO. 15 JOINT INSURANCE FUND SAFETY DELEGATE – JASON DUNCAN**

BE IT RESOLVED that Jason Duncan be appointed as Joint Insurance Fund Safety Delegate for the year 2019.

**RESOLUTION NO. 16 JOINT INSURANCE FUND ALTERNATE SAFETY DELEGATE – MICHAEL CARELLI**

BE IT RESOLVED that Michael Carelli be appointed as Joint Insurance Fund Alternate Safety Delegate for the year 2019.

**RESOLUTION 17 BOROUGH OF OAKLAND PETTY CASH POLICY**

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

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

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

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

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

#### RESOLUTION 18: PROCESSING OF TAX REFUNDS

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

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

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

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

#### RESOLUTION 19: ACCELERATED TAX SALE

BE IT RESOLVED that the Collector of Taxes for the Borough of Oakland is hereby authorized to conduct an Accelerated Tax Sale for delinquent taxes for the calendar year 2019.

#### RESOLUTION 20: LICENSE BOROUGH PROPERTY

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

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

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

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

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

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

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

#### RESOLUTION NO. 21: APPOINT PUBLIC AGENCY COMPLIANCE OFFICIAL

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby appoints Borough Administrator Richard S. Kunze to serve as its public agency compliance officer for the year 2019.

BE IT FURTHER RESOLVED that a certified copy of said Resolution be sent to the State of New Jersey.

#### RESOLUTION 22: POLICY REGARDING GOVERNING BODY TRAINING

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

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

#### RESOLUTION 23: RETIREE INSURANCE RATES

BE IT RESOLVED that the following monthly premiums are to be charged retirees who participate in the Borough's Health Benefits program, in accordance with the various prior and current labor agreements, effective January 1, 2019:



SEE  
ATTACHED

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

RESOLUTION 24 APPOINT BMED COMMISSIONER

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

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

NOW, THEREFORE BE IT RESOLVED, that Richard Kunze be and is hereby appointed as Fund Commissioner to the Bergen Municipal Employee Benefits Fund, effective January 1, 2019 to represent the Borough of Oakland; and

BE IT FURTHER RESOLVED that David Young be and is appointed as Alternate Fund Commissioner to the Bergen Municipal Employee Benefits Fund effective January 1, 2019.

RESOLUTION NUMBER 25 RECREATION FACILITY USE POLICY

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

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

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

A. Priority of Use

1. Athletic and other Recreation programs run by the Borough of Oakland. This includes in-season recreation and travel programs, summer camp and public events.
2. Other Borough departments, agencies, boards and commissions.
3. Oakland Board of Education and Ramapo Indian Hills Regional High School District.
4. Other educational institutions located within the Borough.
5. Oakland based non-profit athletic organizations where a majority of participants are Oakland residents.
6. Other Oakland based non-profit organizations serving the Oakland community.
7. Oakland based business.

8. Non-profit organizations of any type, whether educational, athletic, charitable or service, that do not serve the Oakland community and/or where the majority of participants are not from Oakland.
9. Businesses located outside of Oakland.

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

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

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

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

C. Conflict.

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

RESOLUTION NUMBER 26 ATTENDANCE POLICY

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

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

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

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

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

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

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

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

Illness  
Vacation  
Business obligations

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

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

#### RESOLUTION NO. 27 SURPLUS POLICY

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

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

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

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

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

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

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

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

#### RESOLUTION NO. 28 POLICY GOVERNING EMERGENCY PURCHASES

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

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

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

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

**A. POLICY GOVERNING EMERGENCY PURCHASING PROCEDURES**

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

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

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

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

CASH MANAGEMENT PLAN  
BOROUGH OF OAKLAND  
BERGEN COUNTY, NEW JERSEY

**I. STATEMENT OF PURPOSE**

This Cash Management Plan (the “Plan”) is prepared pursuant to the provisions of N.J.S.A. 40A:4-14 in order to set forth the basis for the deposits (Deposits”) and investment (“Permitted Investments”) of certain public funds of the Borough of Oakland, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.**

- a. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough of Oakland.

All Funds and Accounts

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

Developers’ Escrow Account

**III. DESIGNATION OF OFFICIALS OF THE BOROUGH OF OAKLAND AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.**

The Chief Financial Officer of the Borough of Oakland and the Assistant Treasurer (the “Designated Officials”) are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough of Oakland are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

**IV. DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

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See Resolution 8 of Consent Agenda  
of the first Council meeting of 2019

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All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

**V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE  
DESIGNATED OFFICIALS MAY DEAL.**

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated official (s) of the Borough of Oakland referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

See Resolution 8 of Consent Agenda of the first Council Meeting of 2019

**VI. AUTHORIZED INVESTMENTS.**

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

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

- b) the custody of collateral is transferred to a third party;
- c) the maturity of the agreement is not more than 30 days;
- d) the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, C 236 (c.17:9-41); and
- e) a master repurchase agreement providing for the custody of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and

“local government investment pool” shall have the following definitions:

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

- a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b) the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government Securities; and
- c) which has:
  - I. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
  - II. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940,” 15 U.S.C. sec 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

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

- a) which is managed in accordance with 17 C.F.R. sec.270.2a-7;
- b) which is rated in the highest category by a nationally recognized statistical rating organization.
- c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities.
- d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the



board to provide for the safety, liquidity and yield of the investments.

- e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus eserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

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

None

#### VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

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

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

#### VIII. REPORTING REQUIREMENTS

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

- A. The name of any institution holding funds of the Borough of Oakland as a Deposit or a Permitted Investment.

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

#### IX. TERM OF PLAN

This Plan shall be in effect from January 1, 2019 to December 31, 2019. Attached to this Plan is a resolution of the governing body of the Borough of Oakland approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-29 TEMPORARY BUDGET

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

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

WHEREAS, the date of this resolution is within the first thirty days of calendar year 2018; and

WHEREAS, the total appropriations in the 2018 Budget, less appropriations made for the Capital Improvement Fund, debt service and public assistance are as follows:

Current Fund	\$17,203,439.93
Water Utility Operating Fund	\$1,481,920.00
Sewer Utility Operating Fund	\$488,825.00

WHEREAS, 26.25% of the total appropriations in the 2018 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance are as follows:

Current Fund	\$4,515,902.98
Water Utility Operating Fund	\$389,004.00
Sewer Utility Operating Fund	\$123,316.56

NOW, THEREFORE, BE IT RESOLVED, that the following temporary 2019 appropriations, which do not exceed 26.25% of the appropriations in the 2018 budget exclusive of any appropriations made for interest and debt redemption charges, capital improvements and public assistance, be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Director of the Division of local Government Services.

Account Description	S&W	OE
<b><u>CURRENT</u></b>		
ADMINISTRATIVE & EXECUTIVE	65,769.38	1,837.50
COMMUNICATION COMMISSION		3,150.00
GENERAL SERVICES	26,775.00	17,325.00
MAYOR & COUNCIL	12,901.88	7,875.00
MUNICIPAL CLERK	22,890.00	5,775.00
ELECTION	551.25	3,150.00
FINANCIAL ADMINISTRATION	55,781.25	13,387.50
AUDIT		9,712.50
INFORMATION TECHNOLOGY		17,062.50
TAX COLLECTION	18,900.00	2,703.75
TAX ASSESSMENT	21,328.13	3,976.88
LEGAL SERVICES		49,875.00
ENGINEERING		15,750.00
PLANNING BOARD	4,291.88	4,777.50
BOARD OF ADJUSTMENT	4,318.13	2,047.50
UNIFORM CONSTR CODE	70,691.25	1,575.00
INSURANCE		130,000.00
Insurance – GROUP HEALTH BENEFIT		530,000.00
POLICE DEPARTMENT	1,153,805.63	50,793.75
911 System		3,478.13
EMERGENCY MANAGEMENT	2,270.63	2,625.00
FLOOD CONTROL COMMITTEE	1,260.00	393.75
Contribution to First Aid Squad		46,870.00
FIRE DEPARTMENT	21,879.38	29,531.25
PROSECUTOR		5,512.50

STREETS & ROADS	133,428.75	28,612.50
SHADE TREE		9,975.00
STORMWATER MANAGEMENT	16,038.75	7,350.00
GARBAGE & TRASH REMOVAL	21,682.50	353,587.50
SNOW REMOVAL	15,750.00	21,000.00
BUILDINGS & GROUNDS	49,573.13	43,837.50
VEHICLE MAINTENANCE	18,821.25	21,393.75
BOARD OF HEALTH	19,293.75	45,438.75
ENVIRONMENTAL COMMISSION	315.00	262.50
RECREATION	43,207.50	79,498.13
SENIOR CITIZENS ACTIVITIES	20,475.00	9,056.25
PUBLIC LIBRARY	112,875.00	116,205.86
ELECTRICITY		31,631.25
STREET LIGHTING		36,750.00
TELEPHONE		24,412.50
NATURAL GAS		8,662.50
GASOLINE		42,000.00
Social Security		128,625.00
Defined Contribution Plan		2,100.00
MUNICIPAL COURT	32,681.25	8,000.00
PUBLIC DEFENDER		2,782.50
<b>Totals</b>	<b>1,967,555.63</b>	<b>1,980,366.49</b>
<b>Total</b>		<b>3,947,922.11</b>

<b>Account Description</b>	<b>S&amp;W</b>	<b>OE</b>
<b><u>WATER</u></b>		
WATER - OPERATIONS	157,985.63	101,456.25
WATER - UTILITIES		67,987.50
WATER - Social Security		11,917.50
<b>Totals</b>	<b>157,985.63</b>	<b>181,361.25</b>
<b>Total</b>		<b>339,346.88</b>

<b>Account Description</b>	<b>S&amp;W</b>	<b>OE</b>
<b><u>SEWER</u></b>		
SEWER - OPERATIONS	14,109.38	94,106.25
SEWER - UTILITIES		10,762.50
SEWER - Social Security		1,128.75
	<b>14,109.38</b>	<b>105,997.50</b>
<b>Total</b>		<b>120,106.88</b>

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-30 STAFF APPOINTMENTS

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

BE IT RESOLVED that, in accordance with the applicable State Statutes, the following staff appointments be made for the year 2019:

Kathlyn Gurney	Deputy Borough Clerk
David Young	Treasurer

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-31 POLICE DEPARTMENT APPOINTMENTS

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

BE IT RESOLVED that, upon recommendation of Police Captain Sanzari, the following appointments be made for the Police Department for 2019:

##### CROSSING GUARDS

Edward Ackerly	Mindy Greenfield
William Bickford	Debra Hill
John Carr	Robert Lynn
Maryann Carroll (Sub)	Debra Patterson
Monica Carson	Richard Pierce
Philip DeBiasi	Charlotte Schaffler (Sub)
Brenda DeBouter (Sub)	William Sisti (Sub)
Debra DeYoung	Margaret Simmons (Sub)
Marilyn Dockery	Kelly Smith
Maria Giminez (Sub)	Therese Vollmin
John Gray	Robert Weston
Barbara Beamon (Sub)	

##### POLICE MATRON

Lynn Ver Hage	Monica Carson
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ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-32 BERGEN COUNTY MUTUAL AID

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

WHEREAS, the Police Departments in Bergen County have a day-to-day responsibility to prove for the security of lives and property and for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for the preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App.A:9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is also recognized that Keith Sanzari, Police Captain and Officer-In-Charge, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT team operated in conjunction with the Bergen County Prosecutor's Office; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Oakland to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Oakland, that the Police Department of the Borough of Oakland, under the direction of the Police Captain, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor and all municipalities in the County of Bergen

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-33 APPOINTMENT-DEPUTY REGISTRAR

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

WHEREAS, in accordance with the provisions of N.J.S.A. 26:8-17, the Registrar of Vital Statistics has appointed Michael Carelli as Deputy Registrar;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby confirm the appointment of Michael Carelli as Deputy Registrar of Vital Statistics; and

BE IT FURTHER RESOLVED that Mr. Carelli be compensated at an annual stipend of \$2,000 effective January 1, 2019.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTION 19-34 REFUND TAXES-BL.4804, L24**

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

WHEREAS, the Borough of Oakland has received a request from the property owner for a refund of taxes due to a Widow of Veteran's deduction; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
4804/24	Adrienne Hering	\$250.00

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTION 19-35 REFUND TAXES-BL.1802, L11**

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

WHEREAS, the Borough of Oakland has received a request from the property owner for a refund of taxes due to a Veteran's deduction; and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland, upon advice of the Tax Collector, do hereby authorize a refund as follows:

<u>BLOCK/LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
1802/11	Robert & Jacqueline West	\$250.00

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTION 19-37 AUTHORIZE BOSWELL-RESPONSE ACTION OUTCOME REPORT**

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

WHEREAS, the Borough of Oakland needs a Licensed Site Remediation Professional to issue a Response Action Outcome for the Great Oak Park site; and

WHEREAS, Boswell Engineering has submitted a proposal dated December 18, 2018, for the work required at an amount not to exceed \$ 2,500.00; and

WHEREAS, the Chief Financial Officer has certified funds are available in Account #C-04-56-607-001; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize Boswell Engineering to prepare the Response Action Outcome for the Great Oak Park site at a cost not to exceed \$ 2,500.00; 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 Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

RESOLUTION 19-38 AUTHORIZE RETURN MAINTENANCE BOND-VTS ENTERPRISES  
On motion of Councilman Biale, seconded by Councilman Kulmala, the following resolution be introduced, adopted and duly passed by roll call vote:

WHEREAS, VTS Enterprises, LLC posted maintenance guaranties with the Borough of Oakland, in the amount of \$12,150.00; and

WHEREAS, the aforementioned maintenance bond was posted in connection with on site improvements for the premises known as Block 1301, Lot 5; and

WHEREAS, all site work has been completed by VTS Enterprises, LLC and same has been inspected and approved by the Borough Engineer, Boswell McClave Engineering by letter dated December 12, 2018; and

WHEREAS, VTS Enterprises, LLC was required to post the maintenance bond for a period of two years, which time period has expired and has requested a release of the maintenance guaranties; and

WHEREAS, VTS Enterprises, LLC also posted funds into an escrow account for payment of the Borough's professionals including reviews, inspections and the like, which account balance varied as services were performed and billed by the professionals; and

WHEREAS, the Mayor and Council of the Borough of Oakland has reviewed the recommendation of Boswell McClave Engineering dated December 12, 2018.

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

1. The site improvements required by that certain Developer's Agreement with VTS Enterprises, LLC. at the property located at Block 1301, Lot 5 have been



- completed and the maintenance guaranty has remained in effect for a period of two years, as required by said Developer's Agreement.
2. The current balance in VTS Enterprises, LLC's escrow account is \$148.00 with an outstanding invoice from Boswell Engineering totaling \$1,012.00 leaving a deficit of \$864.00. This amount shall be deducted from the cash maintenance guarantee.
  3. Based upon the recommendation of the Borough Engineer, the maintenance guaranty in the amount of \$12,150.00 minus the amount required to pay the outstanding invoice or \$864.00 shall be released .
  4. The total amount to be released to VTS Enterprises, LLC is \$11,286.00.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be provided to: (i) the Chief Financial Officer of the Borough of Oakland; (ii) the Construction Code Official of the Borough of Oakland; (iii) VTS Enterprises, LLC; (iv) Brian M. Chewcaskie, Borough Attorney.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-39 AUTHORIZE AWARD OF BID-RECREATION BATHROOMS

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

WHEREAS, bids were received on December 18, 2018 for the Restroom Renovation project at the Oakland Recreation Complex; and

WHEREAS, UGV Construction, 45 Harris Street, Haledon, NJ 07508, submitted the lowest responsive and responsible bid with a total bid price of \$ 147,845 broken down as follows:

Base Bid	\$ 140,000
Alt. 1	\$ 3,475
Alt. 2	\$ 4,370

WHEREAS, the Architect and Borough Attorney have reviewed the bids and recommend the bid award to UGV. Construction.; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account #C-04-56-761-400;

NOW, THEREFORE, BE IT RESOLVED, that the bid of UGV Construction in the total amount of \$ 147,845 be accepted; and

BE IT FURTHER RESOLVED that the Borough Administrator is directed to prepare an appropriate contract for the same; and

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTION 19-40 AUTHORIZE LOSAP AUDIT**

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

WHEREAS, there is a need to have an audit of the Length of Service Award Program (LOSAP); and

WHEREAS, the Borough of Oakland received a proposal from the firm of Lerch, Vinci & Higgins, LLP for the services required in the amount of \$ 1,750; and

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

WHEREAS, Lerch, Vinci, & Higgins, LLP has submitted paperwork certifying 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 Chief Financial Officer has certified that funds are available in Account #8-01-20-135-028;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body authorizes Lerch, Vinci & Higgins, LLP to perform an audit of the LOSAP program; 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 Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**RESOLUTION 19-41 AWARD CONTRACT-SITE DESIGN FIRE CO. 1 ACCESSORY GARAGE**

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

WHEREAS, there is a need to authorize the site design and site engineering services for the Fire Co. 1 Accessory Garage project; and

WHEREAS, Daniel Dressel, RA submitted a proposal dated December 14, 2018, for the services required at a total cost not to exceed \$ 5,000.00; and

WHEREAS, Daniel Dressel, RA has submitted all paperwork to comply with the Borough of Oakland's Pay-to-Play requirements; and

WHEREAS, this is 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-04-56-761-100;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize a contract with Daniel Dressel, RA in an amount not to exceed \$ 5,000.00 for the site design and

site engineering services for the Fire Co. 1 Accessory Garage project as outlined in their December 14, 2018, proposal; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are authorized to execute the agreement with Daniel Dressel, RA on behalf of the Borough.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-42 AWARD CONTRACT-LAND CONSERVANCY

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

WHEREAS, there is a need for Advisory Services and the preparation of grant applications pertaining to open space within the Borough of Oakland; and

WHEREAS, The Land Conservancy of New Jersey has submitted a proposal which includes a form of agreement dated November 13, 2017 for Advisory Services including the preparation of grant applications with respect to open space for an amount not to exceed the sum of \$12,000.00; and

WHEREAS, the Chief Financial Officer of the Borough of Oakland has certified that funds are available from Account No. T-18-56-286-000 for such purposes; and

WHEREAS, this contract is for professional services for which no public bidding is required.

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

1. The Land Conservancy of New Jersey is authorized to perform Advisory Services and the preparation of grant applications with respect to open space within the Borough of Oakland as outlined in their proposal.
2. The Mayor and Borough Clerk are hereby authorized to execute a contract with The Land Conservancy of New Jersey in the form annexed to this resolution.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-43 RENEW AGREEMENT-IDA

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

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

WHEREAS, this plan is for the purpose of providing certain vision care coverage to eligible employees and retirees as well as a reimbursement program for certain retirees to match

the medical coverage they are entitled to under their respective collective bargaining agreement; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Oakland hereby awards a contract to Insurance Design Administrators for the administration of the self-insured vision program at a rate of \$ 6.00 per employee per month not to exceed \$7,000.00 and for the retiree reimbursement program at a rate of \$ 30 per employee not to exceed \$ 4,000.00.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in Account #9-01-23-220-003 \$ 7,000.00 and Account # 9-01-23-220-001 \$4,000.00;

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

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

#### RESOLUTION 19-44 AUTHORIZE RECREATION REFUNDS

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

WHEREAS, the Borough of Oakland has received a request for a refund of Recreation Basketball Registration Fees in the amount of \$70.00; and

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

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

Diana Faynblat, 28 Boulder Run, Oakland, NJ 07436 refund due \$ 70.00

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**WORK SESSION:**

**OCC LOGO:**

Councilman Kulmala advised that the OCC has been working on a new logo for the Commission. The Council was presented with designs last month and offered suggestions to improve the design. The updated designs are being presented to the Council for approval. The OCC recommends option A or C. The consensus of the Council was option C.

**Motion to Approve:**

On motion of Councilman Biale, seconded by Councilman Pignatelli, the Council approves of logo option C as the new OCC logo.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**COUNCIL REPORTS:**

Councilman Knapp: The Fire Department had 31 calls in December for 278 hours. Year-to-date totals include 489 runs and 9781 hours donated. The First Aid Squad had 67 calls in December for 134 hours. Year-to-date totals are 955 calls for a total of 18,503 hours. This past year, the Police Department had 4143 motor vehicle stops, 4538 summonses issued, 637 school checks, 277 radar details, 873 medical calls, 796 fire calls, 562 alarm calls. The Police Department participated in community programs including the successful Coffee with a Cop program. The Department has been reaccredited for another three years. Councilman Knapp congratulated the Police Department.

Councilman Levy: The Planning Board will meet tomorrow at 7 pm in Council Chambers. The Flood Commission needs members. They will meet at the Borough Hall Conference room Monday January 14<sup>th</sup> at 7:30 pm. Shade Tree Commission did not have a quorum to hold a meeting.

Councilman Pignatelli: He spoke about the accomplishments of the Environmental Commission the past year. They participated in the FLOW Green Film Festival. They participated in the town cleanup "Team Up to Clean Up" on April 21<sup>st</sup>. They participated in the town carnival. The Commission created a new junior position. They are doing a quarterly newsletter. They periodically clean and beautify Stewart's Woods. They are working with the Park Committee to protect the C1 stream in Great Oak Park. They applied for a grant to plant trees along the stream. They have advocated for the purchase of the Sandy Beach property and helped the Green Team with recertification. The Environmental Commission members are a dedicated group of people. Councilman Pignatelli advised that there is a Recycle Coach app that residents can download to help them with the recycling each week. Mayor Schwager suggested that information be put up on Facebook.

Councilman Biale: The Senior Center is closed for the work on the Fire Suppression System. The Senior programs will continue at the Library. There have been some adjustments to the classes. The Senior Club will meet at the Knights of Columbus. There will be a movie on January 17<sup>th</sup> at 12:00 and Bingo on January 31<sup>st</sup> at 12:00 pm. The DPW is picking up Christmas trees during the month of January and no appointments are necessary. All residents have received

the 2019 Recycling and Garbage newsletter. The DPW is currently inspecting all storm drains. The DPW wishes everyone a healthy, happy New Year. Councilman Biale advised that the Borough has received a proposal from Margaret Hickey to prepare an application to SHPBO to dismantle the Stream House.

Councilman Kulmala: The OCC met on January 7<sup>th</sup>. Ryan Schwertfeger will be Chairman, Liz Llorente will be Vice-Chair and Anders Hesseler will be Secretary. There are two open positions on the Communications Commission. Recreation has winter sports ongoing.

Councilman Talamini: The Public Events Committee needs more members.

**OPENED FOR PUBLIC DISCUSSION:**

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

No comments made.

**CLOSED FOR PUBLIC DISCUSSION:**

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

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

**MEETING ADJOURNED:**

On motion of Councilman Biale, seconded by Councilman Levy, the meeting be adjourned at 8:23 pm.

ROLL CALL: All yeas, Councilmembers Biale, Knapp, Kulmala, Levy, Pignatelli, Talamini.

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Lisa M. Duncan, Borough Clerk  
January 23, 2019

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Mayor Linda H. Schwager

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Date Approved