

**MINUTES OF AN ORGANIZATION MEETING OF THE
MAYOR AND COUNCIL
HELD WEDNESDAY, JANUARY 1, 2004**

The meeting was called to order by President of the Council Fecanin at 12:10 p.m.

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Councilmember Fecanin delegated himself to escort Mayor-elect McPherson to the podium for the oath of office.

Mayor-elect McPherson was given the oath of office by Ken McPherson.

Mayor McPherson thanked the residents of Rutherford for giving her the opportunity to continue doing a job that she loved doing. She said that she is blessed with a wonderful large family, friends and dedicated volunteers that helped her, Bruce and Maura get to this place.

Mayor McPherson asked former Councilmember Lozada to escort Councilmember-elect Bartlett and Keyes to the podium for the oath of office.

Mayor McPherson administered the oath of office to Councilmember-elect Bruce Bartlett.

Mayor McPherson administered the oath of office to Councilmember-elect Maura Keyes.

Mayor McPherson called upon Senator Paul Sarlo and Assemblyman Fred Scalera.

Senator Paul Sarlo - "Good morning everyone, Happy New Year. It is an honor to be here this morning for this wonderful occasion for the Borough of Rutherford. This is where it is all at, this is democracy in action, local government is where it is all at, in all forms of government, truly public servants. I had the honor and pleasure to be on the ballot this year with these three wonderful individuals, it was fun, it was exciting, but what I learned from these three is that they are truly committed to this wonderful community that we know and all have loved is Rutherford. They will do an outstanding job for this community, serving it along with the rest of the members of the Council and we also recognize Martha Lozada for all her years of service serving this town. We are going to miss you Martha, but congratulations for many years of service to this town."

Senator Paul Sarlo said they had three certificates from both the NJ Senate and the NJ Assembly honoring the three new elected officials.

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Assemblyman Fred Scalera - "Happy and healthy New Year to everyone here on the first day of a new year for your Council and for us here in Rutherford. I also say I can see Rutherford is alive with families this morning which I think is great because families, youth - that's all part of what our communities are about no matter which community you travel to. I'd like to say, Paul said most of it but I am looking forward to working with the Council. I was here during campaign time with them on the ballot, visiting and stuffing envelopes over here at their campaign headquarters, they're great, they're energetic, I think they are great for your community. I am looking forward to working with them and you will be seeing me throughout your community."

Mayor McPherson thanked Senator Paul Sarlo and Assemblyman Fred Scalera for being with us here today and said that clearly they demonstrate how well we work together and how important it is to work at all levels of government. She said we were very fortunate to have them as our energetic leaders in District 36.

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Councilmember Bartlett remarks:

"Happy New Year everyone. Having been around for the longest time of anyone up here I decided to keep my remarks short but appropriate. However, being a teacher and a politician makes that very difficult. As a matter of fact, at my last re-election I was so excited I even went out and bought a new suit and I came to the Council chamber and recognized that my suit was very similar to the one worn by Mayor William Preston in 1889. This year I did not buy a new suit. However, if we use the suit as an analogy I believe when it comes to municipal government not very much drastically changes, people decide to get involved in their community in order to lend an idea here and there to make the community better. And to use their leadership skills to make sure the Borough is properly run for the taxpayers who support it. Obviously all people don't have the same ideas as how that should be done, that is why we have elections. That's the beauty and strength of democracy. If you don't like it, change it, but change it for philosophical reasons, not for personal reasons and don't make the prize a do anything for it objective. I have lived in this community for 35 years, our children were all educated here and all took part in the wonderful programs offered here. They are four of the finest people that I know and they are from Rutherford. At election time we have democrats and republicans and as previously mentioned they have different ideas. However, from November to the end of August we need Rutherfordians working in unity for the betterment of this great community. I am proud of all the accomplishments of this administration and given the opportunity to do so, I would not change one thing.

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One of the most encouraging things encountered in this past campaign was having long time residents of the Borough telling us that the town has never looked so good.

I conclude with this thought in the spirit of community and unity, as the father of a US Marine who spent five months in Iraq at the beginning of the war, I can tell you my wife Joanne and I endured some tense times. I can honestly say she dealt with it better than I did. Recently, one of our republican opponents Jane White who I have come to know as a wonderful person, received some devastating news from Iraq, her nephew Eric Carwin with whom she has a special bond came under heavy fire while on patrol with his Army unit. Eric took shrapnel in the face and has damage to his eyes and ear. This young man is a police officer with hopes of becoming a Mass. State Policeman. After being airlifted to Germany, currently he is in Walter Reed Hospital in Washington where all that is medically needed is being done for him. I ask all of you who pray and even those who don't, try it and keep Eric and Jane in your prayers. Rutherfordians supporting Rutherfordians. I thank all of you who had enough confidence in me to return me to this position and I thank my wife and my children for allowing me to do it."

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Councilmember Keyes remarks:

"Good afternoon and Happy New Year. I am delighted to be here and have the opportunity to be with you today. As I look around this room there are so many people that I see here that have placed their faith and support in me to work as their elected official in the best interest of this community and to those I would like to express my complete gratitude and to everyone here I'd like to say that I commit myself to serving you in the most judicious and responsible way. To my husband Derek and my daughter Morgan - I thank you for being so considerate with the time that I spent away from our home while I prepared and campaigned for the election that of course was difficult and a hard sacrifice. To Denise Ross, our campaign manager and friend, I'd like to give special thank you for her relentless and I underline relentless support, insight and efforts throughout the year. To Councilmember Martha Lozada who's provided me with invaluable advice and guidance I say thank you from the bottom of my heart for your mentoring and your leadership to the community. To all the residents, the Mayor and members of the governing body I want you to know that I'm enthusiastic and committed in my new role as Councilmember. Although I'm not even in the position one day I've learned so much about the dynamics of our community especially from meeting many of you throughout my door to door campaign efforts and also by working with the Mayor and Council throughout the past year as I prepared for this challenge and I thank you all

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for your support and faith. In short, I believe that government on the local level is about efficiency of our government, our public services and the overall effectiveness of our Borough and municipality. As your elected member of the Council I commit to serving you in the same judicious manner and with the same regard for this community that our Mayor and Council have shown me. Thank you all very much. Best wishes for a new year and thank you and continued success to this Mayor and Council.”

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Mayor McPherson invited all former Mayors and Councilmembers to sit on the rostrum.

Former Mayor Glenn Elliot
Former Councilmember Denise Ross
Former Mayor and Freeholder Barbara Chadwick
Former Mayor and Councilmember Margaret Schak

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President of the Council Fecanin read the provisions of the Open Public Meetings Act.

Mayor McPherson wanted to publicly thank Mary Kriston for her assistance throughout the year. “As many of you know we’re pretty big talkers up here and she has to keep track of all of it and she does it with a great deal of grace and I thank her for it.

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The following Council members were present on roll call:

Councilmember Arnold
Councilmember Frazier
Councilmember Fecanin
Councilmember Matthews
Councilmember Bartlett
Councilmember Keyes

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Monsignor Cavin gave the invocation.

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Councilmember Bartlett moved the nomination of Councilmember Fecanin as President of the Council, seconded by Councilmember Frazier with all members present voting aye.

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Councilmember Fecanin moved the nomination of Councilmember Bartlett as Vice-President of the Council, seconded by Councilmember Frazier with all members present voting aye.

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President of the Council Fecanin moved the following resolution, seconded by Councilman Frazier with all members present voting aye:

RESOLVED: That the proceedings of this Council be carried out in accordance with the Parliamentary Laws as outlined in Roberts Rules of Order, that the By-Laws of the Council for the year 2004, a copy of which is annexed hereto, be adopted as the By-Laws of this Council for the year 2004; and

BE IT FURTHER RESOLVED, that the regular meetings of this Council be held on the fourth Tuesday of each month at 8:00 o'clock in the evening in the Council Chambers with a 7:00 p.m. work session prior to this meeting. Work session meetings will be held on the Third Tuesday of each month at 7:00 p.m. in the Committee of the Whole Room.

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Mayor McPherson made the following Council Assignments:

COUNCIL ASSIGNMENTS - 2004

FINANCE COMMITTEE -	Councilmember Keyes Mayor McPherson
POLICE COMMITTEE -	Councilmember Bartlett Councilmember Fecanin
PUBLIC WORKS -	Councilmember Fecanin Councilmember Bartlett
FIRE-	Councilmember Frazier Councilmember Fecanin
BUILDINGS & PUBLIC UTILITIES-	Councilmember Arnold Councilmember Matthews
HUMAN RESOURCES-	Councilmember Matthews Councilmember Keyes

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Mayor McPherson made the following liaison assignments:

Councilmember Fecanin Lincoln OEM.	Board of Adjustment, Special Events committee, the Park Design Committee, Municipal Alliance and
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Councilmember Matthews Assistance Advisory Kip Center.	The Historic Preservation Committee, The Local Board, the Board of Health and the Recreation Committee, Board of Aesthetic Review and 55
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Councilmember Bartlett	The Youth Advisory Committee, Pedestrian Safety
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Councilmember Keyes	The Library Board, Board of Education and Recycling
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Councilmember Frazier	The Planning Board, Lincoln Park Design Committee,
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Councilmember Arnold	The Ambulance Corp and Film & Arts Committee
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Mayor McPherson said her own Liaison assignments will be to the Felician Advisory Committee, Teterboro Airport Committee, Office of Emergency Management, Economic Development, Meadowlands Municipal Committee and Downtown Partnership.

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Mayor McPherson said she was very pleased to be here that she wasn't sure she could put into words how pleased she was to be able to serve in this position with such an energetic and enthusiastic and dedicated number of individuals that are going to serve this community. The Mayor gave the following annual address:

ANNUAL ADDRESS OF MAYOR BERNADETTE MCPHERSON

January 1, 2004

In preparing my remarks for today I reviewed my previous annual addresses to see what had been said and done.

In those it was said the Borough had ended the year with over a million dollars in surplus without raising the residents' property taxes. At the risk of repeating myself, for the fourth consecutive year the Borough has over a million dollars in surplus without a property tax increase. I know 2003 Finance Chair Mike Matthews as well as the Council will join me in recognizing the efforts of Chief Financial Officer Ed Cortright and Tax Collector Caryn Miller in this regard.

What was said and done in other previous addresses was we would increase Rutherford's share of state aid and federal grants. That must be repeated this year. We received over 4 million dollars in 2003 alone. This funding allows us to finance projects like Station Square, major road improvements and upgrades to our fields without further burdening our taxpayer.

A new year and a new Mayoral term lie before us filled with the potential for progress and prosperity.

While much has been said and done over the last 4 years, and we are eager to get to it, much remains. We look forward in 2004 to the final completion of our DPW garage, Station Square and important renovations to Tryon Field, which will include new bleachers, a new track as well as artificial turf. We look forward to continuing to improve the quality of services offered to our residents in the most cost effective way. And we will prevail. We will because this governing body, the Borough employees, your volunteers in Fire and EMT and the residents are in the words of the New Testament in the second Book of Titus, "A people eager to do good." Happy and healthy and a safe New Year to all. God bless Rutherford and God bless America.

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Mayor McPherson made a presentation to Councilmember Lozada. She said that at the last official regular meeting a great deal was said about Councilmember Lozada and she said that every liaison assignment that she appointed her to benefited by her presence there. The Mayor said that many committees had been defunct over the years and she was able to bring forth the Civil Rights commission and have many different special events. she said the Board of Aesthetic Review became very active under her liaison, the Library as well and the Mayor said to the other Councilmembers without any disrespect intended that Martha Lozada was one Councilmember that each of the chair people of the committees she was assigned to year after year would come to her and requested that Martha be reappointed to those positions. Mayor McPherson said that Martha Lozada is a woman with both the heart of a lion and a lamb, she is know by all of us as a closer and if there were an issue that she wants to have addressed she can be very aggressive in the nicest possible way in reaching her objectives. The Mayor said it was her pleasure and honor to serve with Martha Lozada.

Mayor McPherson presented Martha Lozada with a plaque in recognition and grateful appreciation for her service to the Borough of Rutherford.

Martha Lozada said this was about her third speech, but it didn't matter because this was just a wonderful experience and she thanked the Mayor and the Councilmembers for their friendship and all their help and support. She said that she was leaving with wonderful memories. She wished the Mayor and Council good luck in the future.

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Mayor McPherson presented the following employee and retiree awards:

15 YEARS OF SERVICE

Kathy Hildebrand, Social Services

Don Penna, Shade Tree

Richard O'Boyle, Police Dept.

Frank Orlando, Police Dept.

20 YEARS OF SERVICE

Robert Kriston, Police Dept.

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**Louis Arnold, Police Dept.
Steven Mazzarro, Police Dept.
Joan Wilsinski, Library**

25 YEARS OF SERVICE

**Tom Reid, Police Dept.
Tom Farrell, Police Dept.
Mike Schmeding, Shade Tree
Brian O'Keefe, Health Officer**

30 YEARS OF SERVICE

**Susan Mieserwitz, Library
Chief Steven Nienstedt, Police Dept.**

RETIREMENTS

**James Ahearn, Police Dept
Robert Caughey, Police Dept
Brian Hagal, Police Dept.
Kevin Scannell, Police Dept.
Russ Snyder, Sr., Police Dept.
James Bradley, Police Dept.
Louis Eberspeacher, Police Dept.
William Johnston, DPW
Domenic Rotundo, DPW**

COUNCIL

Martha Lozada

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Mayor McPherson appointed the following:

AnneMarie Rizzuto - Borough Attorney. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Eric Bernstein - Labor Counsel. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin with all members present voting aye except Councilmember Matthews who abstained.

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Schoor DePalma, served by Justin Lizza - Borough Engineer. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Paul Barbire - Tax Counsel. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Ferraioli, Wielkocz, Cerullo and Cuva - Tax Auditor. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin with all members present voting aye except Councilmember Arnold who abstained.

Kari Larsen - Municipal Prosecutor. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Charles Sciarra - Municipal Public Defender. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Victor Gardella and Professional Risk Associates - Borough Risk Manager. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call

To the Planning Board:

Caroline Smallwood - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Glenn Elliott - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Councilmember Ray Frazier, Class 3 - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

John Uhl, Class 2 - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

To the Board of Adjustment:

Rafir Fahmy - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Len Baylor - Confirmation moved by Councilmember Frazier, seconded by Councilmember Fecanin and unanimously approved on roll call.

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Borough Historian - Rod Leith

**To the Historic Preservation Commission-
Rod Leith, Edna Huesmann, Lillian Murray, Margaret Watson and Rick Gooding
for Planning Board, Anna Pisciotta, Helen Matthies, Jean Willis, Bill Neumann,
Paul Brooks, Robert Hecking and Rich Rovito**

**To the Auxiliary Police and Church Traffic Guards;
Maria Calabria, John Gibney, Bert Cortes, Anthony Cunningham, Kathleen
McNeill and John Bewighouse, Captain George Egbert as Director**

To the Municipal Alliance Committee

Capt. Thomas Farrell

P.O. Al Anderson

Det. Mike Garner

Leslie Conlon

Jeff Dorn

Brian O'Keefe

Gary Buchheister

Hazel E. Ralph

Jean Beaudet

Shelly Ahmed

Mary Monahan

Wanda Powers

Peggy Letsche

Charlene Mariano

Monique Davis

Ken Meister

David Teller

Rutherford Police

Police Dept.

Police Dept.

Supt. of Schools

Board of Education

Health Department

Supt. of Recreation

Board of Education

To the Hackensack Meadowlands Municipal Committee:

George Hensel, Alt. and Richard Reyes, Alt

Commissioner of Insurance Funds - Jim Mercklinghaus. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

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To the **Teterboro Airport Committee: Paul Griffo** as the Mayors delegate

To the **Recycling Committee:**

John Egan, Beth Vaughan, Bernard McNeilly, Mike Ronan, Charlene Mariano and Ray Tomczak

To the **Library Board of Trustees -**

BOE Superintendent Leslie Conlon, - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Frazier and unanimously approved on roll call.

Director Miriam Sawyer - Confirmation moved by Councilmember Frazier , seconded by Councilmember Bartlett and unanimously approved on roll call.

Martha Lozada - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Frazier and unanimously approved on roll call.

Ed Ryan - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Frazier and unanimously approved on roll call.

Ray Tomczak - Confirmation moved by Councilmember Bartlett, seconded by Councilmember Frazier and unanimously approved on roll call.

To the **Local Assistance Board:**

June Flippin and Mary Melfa

To the **Downtown Partnership Board of Trustee:**

Janelle Vaughan, Denise Ross and Rick Gooding . Mayor McPherson as Liaison

To the **Rent Board:**

Landlord, **Gertrude Newbold, Anthony Paolazzi and George Plarre**

Tenants, **Pauline Calabrese and Annette DiTommaso**

Homeowners, **Margaret Bornemann**

To the **Civil Rights Commission:**

Martha Lozada and Josephine Paolanco

To the **Youth Advisory Council:**

Representatives from the Borough and students will be asked to serve on this committee:

Police Chief Steven Nienstedt, Sgt. John Russo, Police Officer Al Anderson, Gary

Buchheister, Supt. Recreation and Sue Willis of the Board of Education.

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To the **Board of Aesthetic Review**

Sgt. Henry Farrell, Robert Giangerusso, Angelo Biviano, Christine Eustice, Barbara Bennett, Wilkie DeHaas, Marie Fletcher, Christine Grayson, Geraldine Brooks, Regina De Luca, Ray Datz, and Maureen Bigley.

To the **Economic Development Committee**

Krishna Murthy, David Chancey, Ulysses Diaz, Ed Ryan, Mike Schillare, Ken Snapp Doug Ruller, Glenn Elliot, Rick Gooding and Victor DeLucia

To the **Felician College Liaison Committee**

Dawn Tucker, Arthur DeJianne, Fire Official Paul Dansbach, Victoria Latessce, Shirley Tokarz, Dorothy Clare, Irene Franklin, Barbara Laborim, Nancy Barkett, Nancy Mink, Carole Simone, Dr. Neil Kalb, Sgt. Henry Farrell and Police Chief Steven Nienstedt

To the **Office of Emergency Management:**

Coordinator - **Police Chief Steven Nienstedt** currently serving 3 year term.

Deputy Coordinator - **Matt Ziemkiewicz** currently serving 3 year term.

To the **Office of Emergency Management: 1 year term**

Capt. George Egbert, Capt. Thomas Farrell, Bill Gumbman - Ambulance Corps, Fire Chief Jay Ryan, Leslie Conlon BOE, Ron Stuiso DPW, John Uhl Construction Official, Brian O'Keefe Health Officer, Maria Calabria, Auxiliary Police Chief, Kathy Hildebrand and Sue Morticek, Red Cross

To the **Local Emergency Planning Committee:**

Police Chief Nienstedt,

Denise Ross - NJ Meadowlands Comm.

Leslie Conlon, Superintendent of Schools

Fr. Michael Kreder -St.Mary's Church

Kim Fecanin

Jamie Winters -Editor South Bergenite

Brian O'Keefe-Administrative Officer Health Dept.

Mike Sartori-Fire Department

Ken Snapp-representative NJ Transit

To the **In-Line Skating and Skateboard Park Committee:** additional appointments:

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Craig Sheppard, Brian Farrell and John Gaffney

The Mayor asked anyone interested in serving on any committees to please contact her. She said there were a number of positions available that she would like to fill and move forward on 2004.

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President of the Council Councilmember Fecanin moved that all the items on the Consent Agenda be passed, seconded by Councilman Bartlett with all members present voting aye.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, R.S. 40A:-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2004 budget, temporary appropriations shall be made for the purpose and amounts required in the manner and time therein provided; and,

WHEREAS, the date of this Resolution is within the first thirty (30) days of January 2004; and

WHEREAS, the total of these temporary appropriations does not exceed 25% of the total of the appropriations of the preceding fiscal year, after excluding in both instances appropriations for interest and debt redemption charges, capital improvement fund and public assistance.

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations for January, February and March be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records:

	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Mayor & Council	5,500	1,000
General Administration	39,000	1,000

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Financial Administration	43,000	1,000
Borough Clerk	41,000	15,000
Computer Maintenance		2,500
Assessment of Taxes	25,000	2,000
Collection of Taxes	23,000	2,000
Legal Services & costs		45,000
Municipal Court	40,000	2,000
Engineering Services		4,000
Public Buildings & Grounds	100,000	20,000
Planning Board	600	2,000
Board of Adjustment	600	2,000
Shade Tree	100,000	8,000
Purchasing		1,000
Insurance:		
Workers Compensation		163,000
Group Insurance Plans		300,000
Other Insurance Premiums		10,000
Liability Insurance		216,000
Fire Safety Code	45,000.	1,500
Fire Department		40,000
Prosecutor	3,000	
Public Defender	600	
Police	1,200,000.	40,000
Construction Department	50,000	1,000
Office of Emergency Management		500
Roads	145,000	20,000
Garbage	130,000	15,000
Recycling	100,000	
Sewers	5,000	1,000
BCUA Sewer		200,000
Passaic Valley Sewer		80,000
Dumping Fees		223,000
Rutherford Senior Citizens Center		3,750
Board of Health	75,000	2,000
Administration of Public Assistance	20,000	500
Recreation	50,000	5,000
Education Plan for Employees		2,000
Library	150,000	15,000

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Utilities:		
Gasoline		15,000
Fuel Oil		10,000
Electricity & Gas		60,000
Telephone		12,000
Street Lighting		32,000
Water		2,500
Debt Service:		
Interest on Bonds		70,580
Green Trust Loan (Principal and Interest)		2,799
Bergen County Improvement Authority:		
1997 Issue - Interest		14,677
1999 Issue - Interest		10,834
	Principal	211,000
2000 Issue		
Series A Interest		13,745
Series B Interest		19,979
FICA	100,000	
Consolidated Police & Fire Retirement System		10,000
Fire Widow's Pension		3,000
Capital Improvement Fund		50,000
Tax Appeals		40,000
Recycling Collection Costs		27,000
	TOTALS	\$2,391,300
		\$2,152,864

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, N.J.S.A. 40A:5-14 provides that the Governing Body shall designate as a depository for its moneys a bank or trust company having its place of business in this State;

NOW, THEREFORE, BE IT RESOLVED, that Fleet Bank shall be the depository for the funds of the Borough of Rutherford held in the accounts named below; and,

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BE IT FURTHER RESOLVED, that all withdrawals shall be made as indicated herein:

Borough of Rutherford
Payroll Acct. #409-00009-4
Checks signed by Mayor,
Borough Clerk, Treasurer, &
Borough Administrator (any one)
Administrator

Borough of Rutherford
Capital Account
#409-00008-6
Checks signed by Mayor.
Clerk, Treasurer & Borough
Administrator (any two)

Borough of Rutherford
Current Account
#4009-01190-5
Checks signed by Mayor,
Borough Clerk,
& CFO (any two)

Borough of Rutherford
Trust Acct. #409-00042-6
Checks signed by Mayor,
Borough Clerk, Treasurer, &
Borough Administrator (any two)

Borough of Rutherford
Mary P. Kriston
Borough Clerk Account
#409-00007-8, Checks
signed by Borough Clerk

Borough of Rutherford
Rutherford Business
Improvement District Acct.
#4009-020629, Checks
by CFO and Borough Clerk.

Borough of Rutherford
Dog Fund Account
Acct. #409-00013-2
Checks signed by Steven Neinstedt
Deputy Chief of Police, Police Department
or Treasurer (any one)

Rutherford Grant Fund Account
Account #109-067045
Checks signed by Borough Administrator,
Borough Clerk and Treasurer
(any two)

Borough of Rutherford
Municipal Court Account-Fine Account
Checks signed by Court Administrator,
Deputy Court Administrator, Violations Clerk
and Judge (any 2)
Account #409-000-45-0

Community Projects Account
Account #109-50276-0
Checks signed by Borough
Administrator, Treasurer
and Borough Clerk (any two)

Borough of Rutherford
Unemployment Trust Fund Savings
Acct. #4009-011913, withdrawals
by Treasurer, Borough Clerk, Borough
Administrator (any two)

Borough of Rutherford
Community Development Trust Account
Acct. #4009-011921 Checks signed by
Edward Cortright, Treasurer, Borough
Administrator and Mary Kriston, Borough Clerk
(any Two)

Borough of Rutherford
Public Assistance Trust
Fund #1, Acct. #4009-011948
Checks signed by Welfare Director
or Treasurer

Borough of Rutherford
Public Assistance Trust Fund #2
Acct. #4009-011956
Checks signed by Welfare Director or
Treasurer (any one)

**MINUTES OF AN ORGANIZATION MEETING OF THE
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Borough of Rutherford
Health Benefits Account
Account # 94752-73759
Checks signed by CFO

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, N.J.S.A. 40A:5-14 provides that the Governing Body shall designate as a depository for its moneys a bank or trust company having its place of business in this State;

NOW, THEREFORE, BE IT RESOLVED that Fleet Bank shall be the depository for funds of the Borough of Rutherford held in the accounts named below; and,

BE IT FURTHER RESOLVED that all withdrawals shall be made as indicated herein:

Borough of Rutherford
Municipal Court Acct.-Bail Account
Checks signed by Court Administrator,
Deputy Court Administrator, Violations
Clerk, Judge (any two)
Acct.#61-00000 1103

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, Title 40A of the New Jersey Statutes requires remittance of all petty cash funds be returned to the office of the Treasurer at the end of each year; and

WHEREAS, Title 40A:5-21 established petty cash funds upon approval by the Director of Local Government; and

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WHEREAS, the Borough of Rutherford has such written approval and desires to reinstate the petty cash funds;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Treasurer be and he is hereby directed and authorized to issue warrants to the following to establish the 20034 Petty Cash Funds:

Borough Clerk - Mary P. Kriston	200.00
Public Works Dept.- Douglas Adamo	200.00
Recreation Dept. - Gary Buchheister	100.00
Health Dept. - Brian O'Keefe	<u>100.00</u>
	\$600.00

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, the Senate and General Assembly of the State of New Jersey have amended R.S. 54:4-67 to permit municipalities to increase the interest charged on delinquent taxes; and

WHEREAS, pursuant to R.S. 54:4-66 taxes are due and payable on the first days of February, May, August and November of each year and become delinquent if not paid on or before said dates;

NOW, THEREFORE, BE IT RESOLVED that a grace period of (10) days is hereby established within which any installment of taxes or assessments may be received after the due date thereof without an additional charge for interest; and

BE IT FURTHER RESOLVED, that interest on delinquent installments of taxes or assessments shall be charged at the rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

**MINUTES OF AN ORGANIZATION MEETING OF THE
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WHEREAS, NJSA 54:4-67 has been amended to permit an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year;

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

1. The Tax Collector is hereby authorized and directed to charge an additional penalty of 6% on a tax delinquency in excess of \$10,000.00 if it remains in arrears beyond December 31st.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, pursuant to the authority contained in N.J.S.A. 17:9A-25 (4), the Borough of Rutherford may lawfully deposit public funds in interest bearing time deposits in a banking institution authorized to do business in the State of New Jersey and designated as a depository of its funds pursuant to N.J.S.A. 40A:4-14; and

WHEREAS, the Borough of Rutherford will have surplus current cash on hand at various times during the current year of 2004; and

WHEREAS, Fleet Bank has heretofore been designated by the Borough of Rutherford as depositories of its funds;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer, Edward Cortnght, is hereby authorized during the year 2004 to pay and sign for the receipt and delivery of and to sell and receive payment for, at his discretion, the following type of securities for the Borough of Rutherford;

- A. Market U.S. Treasury Bills
- B. Bank Certificates of Deposit
- C. County and State Bonds
- D. Federal National Mortgage Association (Bonds and Notes);

BE IT FURTHER RESOLVED, that said Bonds or other obligations suitable for registry shall be registered in the name of the Borough of Rutherford;

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BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to borrow funds through the sale of bond anticipation notes and tax anticipation notes during the year 2004 on an as needed basis;

BE IT FURTHER RESOLVED, that:

Section 1. The Chief Financial Officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution and his signature upon said notes shall be conclusive as to such determinations.

Section 2. The Chief Financial Officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

Section 3. Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. The Chief Financial Officer of the local unit is authorized and directed to report in writing to the governing body of the local unit at the meeting next succeeding the date when any sale or delivery of the note pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 5. This resolution shall take effect immediately.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

**MINUTES OF AN ORGANIZATION MEETING OF THE
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WHEREAS, it is sometimes necessary in the course of the year to amend the Tax Duplicate by a Tax Collector's Appeal; and

WHEREAS said Collector's Appeal must be signed before being submitted to the County for approval;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Tax Collector of the Borough of Rutherford shall be authorized to sign such appeals.

Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

Whereas, the Borough of Rutherford receives from time to time checks which are returned by the depository for insufficient funds or other reason; and

WHEREAS, the Borough is charged a returned check charge of \$20.00 per item returned; and

WHEREAS, the Borough incurs administrative costs in the adjustment and handling of these items.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford that a fee of \$20 be charged for each item returned for insufficient funds or other reasons.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

**A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE
BOROUGH OF RUTHERFORD FOR THE YEAR 2003**

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

**MINUTES OF AN ORGANIZATION MEETING OF THE
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WHEREAS, the Borough of Rutherford desires to participate in the State of New Jersey Cash Management Fund established by N.J.S.A. 52:18A-90.4,

NOW THEREFORE BE IT RESOLVED, that on the 1st day of January, 2004 by the Mayor and Council of the Borough of Rutherford, State of New Jersey, that;

1. The State of New Jersey Cash Management Fund is hereby designated as a depository for the Borough of Rutherford for the year 2004.
2. Edward Cortright, Chief Financial Officer is authorized to purchase and sell participation in the fund for the account of the Borough.
3. Any sale or distribution from the fund by check, draft wire otherwise shall be paid by the fund to Fleet Bank for credit to the account of Borough of Rutherford-Current Fund-Account Number 409-00009-4, Rutherford Capital Fund Account Number 409-00008-6 or the Borough of Rutherford Trust Fund #409-00042-6
4. The Borough of Rutherford accepts the terms and conditions of the Administration of the fund.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, the governing body of the Borough of Rutherford authorizing the execution and delivery of Exhibit D Certificate of Participation of the Local Governmental Unit Participation agreement among the Borough of Rutherford, Fleet Bank, as Agent-Custodian and CLASS New Jersey offered through MBIA Municipal Investors Service Corporation, as Program Administrator, regarding the investment of certain funds of the Borough of Rutherford and certain other matters relating thereto; and

WHEREAS, the Borough of Rutherford, wishes to invest certain of its available investment funds in cooperation with other local units pursuant to the Participation Agreement dated April 1, 1993.

Now, therefore, it is hereby resolved as follows:

**MINUTES OF AN ORGANIZATION MEETING OF THE
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1. The Chief Financial Officer, is hereby authorized to execute and deliver the Certificate of Participation in the name of and on behalf of the Borough of Rutherford.
2. Any sale or distribution from the fund by check, draft wire or otherwise shall be paid by the fund to Fleet Bank for credit to the following accounts:

Current Fund	4009-01190-5
Current Fund	4090-0008-6
Trust Fund	4090-0042-6

3. The Borough of Rutherford accepts the terms and conditions of the Administration of the fund.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, N.J.S.A. 40A:5-14 requires the Borough of Rutherford to adopt a Cash Management Plan; and

WHEREAS, the Borough of Rutherford adopts its Cash Management Plan annually; and

WHEREAS, this Cash Management Plan shall be designated to assure to the extent practicable the investment of local funds in interest bearing accounts and may be modified from time to time in order to reflect changes in Federal or State law or regulations; and

NOW, THEREFORE BE IT RESOLVED, that the Borough of Rutherford Cash Management Plan be continued for 2004.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

**MINUTES OF AN ORGANIZATION MEETING OF THE
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WHEREAS, N.J.S.A. 54:4-91.1 requires that on or before May 1st of each year, the Tax Collector file with the Mayor and Council a list of delinquent taxes which she believes are not collectible for reasons enumerated in the statute; and

WHEREAS, the Mayor and Council on being satisfied that any of the taxes are not collectible, shall by resolution release the Tax Collector has reviewed the tax duplicate and determined that no delinquent taxes fall within the category set forth in the statute.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that action pursuant to N.J.S.A. 54:4-91.2 is not required for the above reason.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, the Tax Collector shall have the duty to impose fees and service charges owing to any account of the Borough of Rutherford; and

WHEREAS, it is necessary to establish a fee for redemption statements;

NOW, THEREFORE, BE IT RESOLVED that the following fees be established:

1st request for redemption statement	-	No charge
2nd and subsequent requests	-	\$20.00

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

WHEREAS, the Governing Body of the Borough of Rutherford is desirous of designating a newspaper for the purpose of publishing notices and business affairs of the Borough that may from time to time require publication; and

WHEREAS, the Governing Body of the Borough of Rutherford has decided to designate the News Leader of Rutherford, a newspaper published and distributed in the Borough of Rutherford, as the official newspaper of the Borough of Rutherford;

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WHEREAS, the Governing Body of the Borough of Rutherford has decided that in addition to the News Leader of Rutherford, they wish to designate The Record and The Herald and News as official newspapers for the Borough of Rutherford,

NOW, THEREFORE, BE IT RESOLVED that the News Leader of Rutherford, a newspaper published and distributed in the Borough of Rutherford, with its principal office at 251 Ridge Road, Lyndhurst, New Jersey 07071, The Record at 150 River Street, Hackensack, NJ 07601 and The Herald & News, One Garrett Mountain Plaza, west Paterson, NJ 07424 be designated as the official newspapers to be used for the publication of all items of Borough business that may be required or designated to be published.

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Mayor McPherson administered the oath of office to the appointees that were present.

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Councilmember Ray Frazier gave the benediction.

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Mayor McPherson appointed **Jim McCarthy** to the position of permanent Disciplinary Hearing Officer. Confirmation moved by Councilmember Fecanin, seconded by Councilmember Bartlett and unanimously approved on roll call.

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As there was no further business to come before the meeting, Councilmember Bartlett moved the meeting be adjourned at 1:10 pm, seconded by Councilman Frazier and unanimously approved on roll call.

Borough Clerk