

**MINUTES OF AN ORGANIZATION MEETING OF THE
MAYOR AND COUNCIL
HELD SUNDAY, JANUARY 1, 2006**

The meeting was called to order by Mayor Bernadette P. McPherson at 3:30 pm.

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Mayor McPherson introduced County Executive Dennis McNierney. Mr. McNierney presented Certificates of Commendations to George Fecanin and Joseph Sommer in recognition of their swearing ceremony. He congratulated both and looked forward to working with them in the future as well as the other members of the Council. He said particularly the Mayor who doesn't miss a step in terms of making sure what is right for Rutherford and we work cooperatively and great together in terms of the county. He said that she was doing a terrific job.

Mayor McPherson introduced Assemblyman Fred Scalera and Gary Shaer. Assemblyman Fred Scalera said this was one of the more pleasurable things they get to do in the legislature, coming out to visit. He said the Mayor does a great job and is always on the line as well as the rest of the Council. He said this was a great township and also presented commendations to George Fecanin and Joseph Sommer from Senator Sarlo, Assemblyman- elect Shaer and himself. Assemblyman Fred Scalera said this was a partnership between the Municipality, the County and the State. All the leaders together can make anything work.

Assemblyman-elect Shaer said it was a great privilege and honor to be here. In November, he had the opportunity to spend much time in Rutherford and said that this was a tremendously important community not only to each one who lives here but for all of 36th district and throughout the State of New Jersey. He said that Rutherford has been able to do so many incredibly wonderful things. Assemblyman-elect Shaer said that Rutherford is blessed with a Mayor and Council which has recognized the need to work together to blend old and new to make the kind of Rutherford they want it to be. He said that the Mayor-Freeholder and members of the Council have done an incredible job. He said that the residents have as well and are a vital part of the partnership making sure that Rutherford continues to move forward.

Mayor McPherson thanked the County Executive and the Assemblymen for being here today and their commitment to the Borough is demonstrated by the time they are spending here today. She said that so much of what we have achieved here in Rutherford, we would not have been able to do alone - it is with the support of the State Legislatures and County Officials that help us do what we need to do here.

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Councilmember Keyes read the provisions of the Open Public Meetings Act.

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Deacon James Guida gave the invocation.

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Mayor McPherson asked Councilmember Reyes to escort Councilmember Fecanin and Councilmember Keyes to escort Councilmember-elect Sommer forward.

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

Mayor McPherson administered the oath of office to Councilmember-elect Joseph Sommer.

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Mayor McPherson invited former Mayor and Councilmember Glenn Elliot, former Mayor and Councilmember Margaret Schak and former Councilmember Denise Ross to sit on the rostrum.

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Councilmember Fecanin's remarks:

“Good afternoon everyone, I would like to wish everybody here today a happy and healthy New Year. This is the third time I stand up here on this dais thanking the Rutherford residents for electing me as one of their Councilmembers. I have discovered over the last six years that the task of serving our community is one that I enjoy ever so much and will continue to strive to make it better and one that we all will be proud of in the end. Thank you for your confidence and trust you have entrusted in me. At this time, I would personally thank a number of very special people that were very supportive and important to me during this past election year. First, I'd like to thank Mayor Bernadette McPherson and her husband David for their guidance and much proven professionalism. Councilmember Richard Reyes and his family for their many hours of walking with me

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throughout the town talking and listening to our residents concerns. To my campaign manager and good friend Denise Ross, I'd like to thank you for your wisdom and willingness to never stop thinking and working. Denise, you are really a true friend. Also, I would like to thank the following: The Rutherford Democratic Club, my brother and sister union members, former Mayor Glenn Elliot, Mike and Pat Goodwin, Councilmember Maura Keyes, Councilmember Bruce Bartlett, Councilmember Ray Frazier and Councilmember Mike Matthews. It has been a real pleasure running and serving with Mike these past six years. Thank you to many of my friends and supporters and a special thanks to my running mate Councilmember Joe Sommer for making the campaign fun and interesting. And to the people who were there for me anytime of the day or night, weekday or weekend willing to walk, make phone calls, stuff envelopes and run errands. I thank you and your families for your time, patience and never-ending energy. Last, but most important I would like to thank my beautiful wife Kim, two sons Robert and Kevin, my in-laws Janet and Vinnie and my daughter Kara, my assistant campaign manager and her good friends Courtney and Lindsay for their tremendous help working together to make this past election a successful one again. The last six years have been most challenging and also gratifying ones. During my next three years as one of your elected officials, I can promise you again that I will work to the best of my ability and use sound, truthful judgment with my decision-making. This new year brings new challenges and issues and I know that my fellow constituents who are up here today and myself will be ready for them. Again, I want to wish everybody a healthy and happy new year and let's not forget and keep in our prayers our service men and women in the Armed Forces fighting for our country today that makes it possible for us to sit here today. Thank you very much and God Bless everybody."

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Councilmember Sommer's remarks:

"Giving proper thanks is especially important and in light of time and efficiency, I like to cede to my running mate and rather than repeat many of the thank yous, the heartfelt thank you's that he enumerated, I am just going to say ditto! Good afternoon to everybody and Happy New Year and on this first day of 2006 I think we should congratulate Rutherford on its 125th anniversary being incorporated as a Borough back in 1881. Though all these years Rutherford has evolved and prospered while remaining dedicated to its original aspirations. Generations of families have been raised in Rutherford, countless have happily relocated here but most importantly our essence has

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not changed. As technology and the world around us permeated throughout Rutherford, we are truly an oasis, but not by accident. Careful planning and deliberations have kept us on course. We are a community rich in diversity, culture, age and ideas, yet we share fundamental principles. Quiet, safe residential streets lined with towering trees. We are fortunate to have distinguished levels of volunteerism and dedicated public workers. We have teachers in schools for our children where learning and mentoring is held to the highest standards and we have best in class that's facilities and programs for our senior citizens. On this day of taking oaths I make this pledge to you - I will follow my priorities, my wife, my family are first, then my career so I am able to provide for our basic needs. I will then be in a position to provide focus, experience and resolve toward the privilege of serving the citizens of Rutherford. People have asked why I ran for office as Councilmember and I have asked that question myself but there's only one single reason, I want to do everything I can to ensure that Rutherford continues with what many are calling its renaissance. The Mayor and Council are responsible for this revitalization of Rutherford. We Rutherfordians are truly fortunate to have such a dedicated Mayor. To ensure that we continue working through challenging issues, I will do my part to seek your input on issues and help communicate the plans that impact our future, to insure while moving forward Rutherford retains its enviable essence of a quiet, safe and prosperous community we need you to continue to participate in the process with us. Each in your own way. In closing, I look forward to the honor of serving as your Councilmember and I thank my wife Joan, children Ted, Kirsten and Danica.

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The following Council members were present on roll call:

Councilmember Bartlett
Councilmember Keyes
Councilmember Frazier
Councilmember Reyes
Councilmember Fecanin
Councilmember Sommer

Mayor McPherson asked those present to join her in a salute to the flag followed by a moment of silent prayer.

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Councilmember Richard Reyes moved the nomination of **Councilmember Fecanin as President of the Council**, seconded by Councilmember Bartlett and unanimously approved on roll call.

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Councilmember Bartlett moved the nomination of **Councilmember Keyes as Vice-President of the Council**, seconded by Councilmember Reyes and unanimously approved on roll call.

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President of the Council Fecanin moved the following resolution, seconded by Councilmember Reyes and unanimously approved on roll call:

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 2006, a copy of which is annexed hereto, be adopted as the By-Laws of this Council for the year 2006; 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, except in the month of December, the work session will be held on the second Tuesday and the regular meeting on the third Tuesday.

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Mayor McPherson made the following Council Assignments:

COUNCIL ASSIGNMENTS - 2006

FINANCE COMMITTEE -

**Councilmember Keyes
Mayor McPherson**

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POLICE COMMITTEE -	Councilmember Bartlett Councilmember Fecanin
PUBLIC WORKS -	Councilmember Fecanin Councilmember Reyes
FIRE-	Councilmember Reyes Councilmember Frazier
BUILDINGS & PUBLIC UTILITIES-	Councilmember Frazier Councilmember Sommer
HUMAN RESOURCES-	Councilmember Sommer Councilmember Fecanin

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Mayor McPherson made the following liaison assignments:

Councilmember Fecanin	Board of Adjustment, Special Events Committee, Local Emergency Planning, Recreation Advisory Committee and OEM.
Councilmember Sommer	Ambulance, The Local Assistance Board, the Recreation Advisory Committee, Board of Aesthetic Review and 55 Kip Center.
Councilmember Bartlett	The Youth Advisory Committee, Pedestrian Safety Committee and the Office of Emergency Management and Veteran's Liaison.
Councilmember Keyes	The Library Board, Board of Education, Economic Development Committee, 55 Kip Center, Youth Advisory Council and the Williams Center
Councilmember Frazier	The Planning Board, Vision Process Committee, Rent Board and Board of Health.

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Councilmember Reyes Meadowlands Municipal Committee, Civil Rights
Commission and Historic Preservation Committee.

Mayor McPherson said her own Liaison assignments will be to the Local Emergency Planning,, Teterboro Airport Committee, Office of Emergency Management, Economic Development, Meadowlands Municipal Committee, Downtown Partnership and Planning Board.

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ANNUAL ADDRESS OF MAYOR BERNADETTE MCPHERSON

In the year 2006, the Borough will celebrate its 125th anniversary. Today marks the 124th reorganization meeting. As your Mayor, it is my sixth such meeting. While it varies for each Council member, make no mistake we have made our mark on the history of the Borough. Not just because of our unique party affiliation but because of the hope and promise we demonstrate at reorganization and the purposeful action we undertake throughout the year to achieve our goals as set forth by our residents. Goals achieved like improvements to Lincoln Park and Tryon Field and revitalization of our downtown. Though the number of meetings may vary, all of us do our best to use our knowledge and experience to make the best decisions for Rutherford. We could not do so without the support of our citizens and our employees. 2005 was no exception, neither will 2006 be.

In 2005 we concluded our successful negotiations with Encap. We continued to take every step necessary to alleviate the property tax burden on our residents. We did as we have done in the last 7 years by aggressively pursuing state, federal and county grants and aid. We succeeded with the concerted efforts of your Council representatives and those at all levels of government. Councilwoman Maura Keyes, our Finance Chair, third reorg, was instrumental in these efforts. Councilmember Bruce Bartlett, eighth reorg, continues to provide direction where grant funding is concerned.

We acquired three new fire engines for our volunteer fire department in the most cost efficient and fiscally responsible manner with financing through the Bergen County Municipal Bank. Councilmember Richard Reyes, second reorg, and Councilmember Ray Frazier, 8 + reorgs, worked closely with our fire department to provide the proper equipment to protect our volunteers and our residents.

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Councilmember George Fecanin, reorganization meeting number 7, will continue to improve our services by working closely with our DPW and listening and responding to concerns. I am so pleased the residents of Rutherford so overwhelmingly supported his return to a third term on Council. They know he puts his heart and soul into his responsibilities.

Councilmember Joe Sommer, reorganization meeting number 1, will dedicate himself to his duties as a Council member and represent us well in all of his liaison positions. As the new kid on the block he has many.

It is hard to believe this would be the last reorganization meeting for Mike Matthews. There is no one that loves and appreciates and protects Rutherford as Mike Matthews does. It is because of the many places he had been and things that he has seen outside of Rutherford that makes it so. He was a Newark Firefighter and a Missionary in West Africa and now is a High School guidance counselor in Paramus among other things. As a Council member he always followed an unwavering course for what was best for our beloved Borough. His legacy will be the protection we have provided to our residents where COAH and affordable housing are concerned. As he pursues a life outside these Council chambers, I know he can and will be called upon for his advice and assistance always.

As we approach our 125th anniversary, I believe our predecessors would be proud of how we have protected and provided for the Borough. I remain proud to be your Mayor and proud to serve with those before you. A Happy and Healthy 2006 to all.

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Mayor McPherson presented the following employee and retiree awards:

15 YEARS OF SERVICE

Kathleen Kromer - Borough Clerk's Office

Eleanor Molan - Records Bureau

20 YEARS OF SERVICE

Fred DeCarlo - Department of Public Works

Frank Bucino - Tax Assessor

Maura Dolan - Library

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25 YEARS OF SERVICE

Bob Loscar - Department of Public Works

30 YEARS OF SERVICE

Lt. George Egbert - Police Department

COUNCIL

Michael Matthews

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Mayor McPherson appointed the following:

Yadira Feroz, provisionally to the position of Senior Clerk Typist effective December 26, 2005 retroactively subject to the policies and procedures of the Borough of Rutherford as well as the laws of NJ and the regulations of NJ Dept. of Personnel. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Yadira Feroz to the position of Secretary to the Board of Adjustment and the Planning Board effective January 1, 2006 subject to the policies and procedures of the Borough of Rutherford as well as the laws of NJ and the regulations of NJ Dept. of Personnel. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Frazier and unanimously approved on roll call.

AnneMarie Rizzuto - Borough Attorney

Schoor DePalma - Borough Engineer

Schoor DePalma - Borough Planner

Ferraioli, Wielkotz, Cerullo and Cuva - Borough Auditor

Victor Gardella and Professional Risk Associates - Borough Risk Manager.

Kari Larsen - Municipal Prosecutor

Peter Malchione -Municipal Prosecutor Alternate

Charles Sciarra - Municipal Public Defender

Joseph Horn - Municipal Public Defender Alternate

Eric Bernstein - Labor Counsel

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Paul Barbire - Tax Counsel
Cliff Whitmyer - Special Events Coordinator
McManimon & Scotland - Bond Counsel

Subject to the policies and procedures and appropriate laws as adopted by the State of NJ as well as the Borough of Rutherford.

Confirmation on the appointments moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Rod Leith - Borough Historian

To the **Board of Adjustment**:

Ulyses Diaz to fill the position vacated by Robert Ordway with term to expire 12/31/08. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin and unanimously approved on roll call.

Jane Fisher, Alternate with term to expire 12/31/06 to fill position vacated by Ulyses Diaz. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

To the **Site Plan Review Advisory Committee**:

Mayor McPherson
Michael Sartori
Matthew Neuls
Glenn Elliot
Ryan Rapp
Councilmember Fecanin
Timothy Stafford
Paul Cuccinelli

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

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To 1 year terms on the **Planning Board:**

Mayor McPherson

John Uhl

Councilmember Frazier

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Councilmember Joseph Sommer as the Mayor's Alternate Delegate.

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Jack Boyle to a term to expire 12/31/06 to fill the vacated position of Ken Snap.

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Barbara Russell to a term to expire 12/31/07.

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

To the **Board of Health:**

Theresa Gilburn

Matt Ziemkiewicz

Confirmation moved by Councilmember Bartlett, seconded by Keyes and unanimously approved on roll call.

To the **Library Board Trustee members:**

Supt. Of Schools Leslie Conlon

Mayor McPherson

Director Jane Fisher

Confirmation moved by Councilmember Bartlett, seconded by Keyes and unanimously approved on roll call.

To the **Local Assistance Board:**

June Flippen, 1 year term

Mary Melfa, 2 year term

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

To the Rent Board:

Landlord Representatives: **Gertrude Newbold, Anthony Paolazzi, George Plarre, Alt.**

Tenant: **Pauline Calabrese, Annette DiTommaso**

Homeowner: **Margaret Bornemann**

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

To the Civil Rights Commission:

Robert Wesp

Lena Anderson

Monica Rodriques

Ernestine Magnum

Patricia Goodwin

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

To the Teterboro Airport Committee:

Mayor McPherson

Paul Griffo

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes and unanimously approved on roll call.

Commissioner of Insurance Funds:

Administrator Timothy F. Stafford

Confirmation moved by Councilmember Keyes, seconded by Councilmember Bartlett and unanimously approved on roll call.

To the Hackensack Meadowlands Municipal Committee:

Mayor McPherson

George Henzel, Alt.

Councilmember Richard Reyes, Alt.

Administrator Timothy F. Stafford, Alt.

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Confirmation moved by Councilmember Keyes, seconded by Councilmember Bartlett and unanimously approved on roll call.

To the Municipal Alliance Committee:

**Councilmember Maura Keyes
Capt. Thomas Farrell
Det. Marc Amatucci
School Resource Officer Al Anderson
Supt. Leslie Conlon
Jeff Dorn
Brian O'Keefe
Hazel Ralph**

To the Office of Emergency Management:

**Police Chief Nienstedt, Coordinator - three year term
Matthew Ziemkewitz, Deputy Coordinator**

Confirmation moved by Councilmember Keyes, seconded by Councilmember Fecanin and unanimously approved on roll call.

**Mayor McPherson
Fire Chief Tom Verdino
BOE Supt. Leslie Conlon
DPW Supt. Tom Verdino
Administrator Timothy F. Stafford
John Uhl, Building Dept.
Brian O'Keefe, Health Dept
Dale Gellis
Maria Calabria, Auxiliary Police
Kathy Hildebrand, Social Services
Councilmember Bruce Bartlett
Captain Thomas Farrell
Council President George Fecanin
Capt. George Egbert
Rob Pavlic, Red Cross
William Gumbman, Ambulance
Police Chief Stephen Nienstedt
Kim Fecanin**

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**Denise Ross
JoAnne Merklingshaus
Paul Dansbach**

To the Local Emergency Planning Committee:

**Mayor McPherson
Police Chief Nienstedt
Councilmember President George Fecanin
Denise Ross
Leslie Conlon, BOE
Joanne Merklingshaus, Leader
Brian O'Keefe, Health
Fire Chief Tom Verdino
Police Captain Egbert
Matt Ziemkiewicz, Dept. Coordinator
Captain Thomas Farrell
Kathy Hildebrand
John Uhl
Paul Dansbach
Timothy Stafford**

To Auxiliary Police and Church Traffic Guards:

**John Bewighouse
Anthony Cunningham
Maria Calabria
Kathleen McNeil
John Gibney
Bert Cortes**

To the Historic Preservation Commission:

**Rod Leith
Bill Neumann
Helen Matthies
Lilian Murray
John Moe
Margaret Watson, Planning Board
Jean Willis**

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Rick Gooding, Planning Board Alt.

Bill Galloway

Steve Savitzky

Mary Clare Coston

Carol Kowalski

William Browning

Rich Rovito, Bd. Of Adjustment

Edna Huesman

To the Pedestrian Safety Taskforce:

Councilmember Bruce Bartlett, Chair and Liaison

Mike Moran

Tim Way

Carol Kowalski

Traffic Coordinator Off. Bill Gumbman

To the Visioning Process Committee:

Sue Willis

Derek Keyes

Glenn Elliott

Mike Schilare

Jim McCarthy

Councilmember Richard Reyes, Civil Rights Commission

Councilmember Ray Frazier, Interfaith Council

Rick Gooding

Doug Ruller

Edward Ryan

Ulyses Diaz

Timothy F. Stafford

Denise Ross

who will serve as the Borough Economic Development Committee as a sub-committee of the Visioning Process Committee.

Christine Eustice

Matthew Ziemkiewicz

Dawn Tucker

Lawrence Mango

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**William Neumann
Sue Chafin
Jane Fisher
Cathy Lander-Botti
Kirsten Sommer
Jackie Bunker-Lorenz
Iman Mak**

and the following also members of the Visioning Committee who will serve as the Youth Advisory Council.

**Kirsten Sommer
Jeanette Dobrowski
Mary Farrell
Michelle Ventura
Theresa Wojtecki
Brendan Quinones
Ryan Quinones
David Jones
Jacki Mann
Taurean Walker
Patrick McGarry
Molly McPherson
Maureen Cuccinelli
Judy Morine**

as the Recreation Advisory Committee:

**Jack Boyle
John Wasylyk
Robert Finelli
Bobbi Weigel**

To the Board of Aesthetic Review:
**Police Officer William Gumbman
Angelo Biviano
Marie Fletcher
Frank DelVecchio**

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**Robert Giangerusso
Christine Eustice
Barbara Bennet
Wilkie DeHaas
Regina DeLuca
Maureen Bigley
Geraldine Brooks
Sharon DelVecchio
Capt. George Egbert**

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President of the Council Councilmember Fecanin moved that all the items on the Consent Agenda be passed, seconded by Councilmember Keyes and unanimously approved on roll call.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

WHEREAS, R.S. 40A:-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2006 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 2006; 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:

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	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Mayor & Council	5,500	1,000
General Administration	39,000	1,000
Financial Administration	43,000	1,300
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

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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
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 Keyes and unanimously approved on roll call:

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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 the Bank of America shall be the depository for the 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
Payroll Acct. #409-00009-4
Checks signed Mayor, Clerk,
CFO, Borough Administrator
and Payroll Supervisor (any two)

Borough of Rutherford
Health Benefits Acct.
Acct. #94752-73759
Checks signed by CFO

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

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

Borough of Rutherford
Dog Fund Acct.
Acct. #409-00013-2
Checks signed by Steven Nienstedt
Chief of Police, or CFO
(Any one)

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

Borough of Rutherford
Municipal Court Account-Fine Account
Acct # 4009-011913

Borough of Rutherford
Current Account
#4009-01190-5

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Checks signed by Court Administrator,
Deputy Court Administrator and Judge
(any two)

Checks signed by Mayor,
Borough Clerk, Administrator
& CFO (any two)

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

Rutherford Grant Fund Account
Account #109-067045
Checks signed by Borough
Admin, Borough Clerk & CFO
(Any two)

Borough of Rutherford
Green Trust Account
Account #
Checks signed by
CFO, Boro Clerk, Boro
Admin. (any two)

Borough of Rutherford
Unemployment Trust Fund Savings
Acct. #4009-011913, withdrawals
By CFO, Boro Clerk, Boro
Admin. (any two)

Borough of Rutherford
Community Development Trust Acct.

Acct. 4009-011921. Checks signed
CFO, Boro Admin & Boro Clerk
(Any two)

Borough of Rutherford
Public Assistance Trust Fund
#1
Acct. #4009-01194
Checks signed by Welfare
Director or CFO

Borough of Rutherford
Public Assistance Trust Fund #2
Acct #4009-011956
Checks signed by Welfare Director
or CFO

Borough of Rutherford
Escrow Account
Acct. #95014-21488
Checks signed by Boro Admin
or CFO (any one)

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

**MINUTES OF AN ORGANIZATION MEETING OF THE
MAYOR AND COUNCIL
HELD SUNDAY, JANUARY 1, 2006**

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 Bank of America 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, Judge (any two)
Acct.#61-00000 1103

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

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

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 2006 Petty Cash Funds:

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Borough Clerk - Mary P. Kriston	200.00
Public Works Dept.-	200.00
Recreation Dept. -	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 Keyes and unanimously approved on roll call:

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 Keyes and unanimously approved on roll call:

**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 Keyes and unanimously approved on roll call:

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 2006; and

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

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer, Maria Incremona, is hereby authorized during the year 2006 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);

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

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 2006 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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**MINUTES OF AN ORGANIZATION MEETING OF THE
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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

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.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

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 Keyes and unanimously approved on roll call:

**A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE
BOROUGH OF RUTHERFORD FOR THE YEAR 2006**

**MINUTES OF AN ORGANIZATION MEETING OF THE
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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

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, 2006 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 2006.
2. Maria Incremona, 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 or otherwise shall be paid by the fund to Bank of America 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 Keyes and unanimously approved on roll call:

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, Bank of America, as Agent-Custodian and CLASS New Jersey offered through MBIA Municipal Investors Service Corporation, as Program Administrator, regarding the

**MINUTES OF AN ORGANIZATION MEETING OF THE
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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:

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 Bank of America 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 Keyes and unanimously approved on roll call:

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

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NOW, THEREFORE BE IT RESOLVED, that the Borough of Rutherford Cash Management Plan be continued for 2006.

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

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 Keyes and unanimously approved on roll call:

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 Keyes and unanimously approved on roll call:

WHEREAS, the Tax Collector is contracted with to provide property tax searches by various companies and these companies are conducting these searches electronically; and

WHEREAS, the Borough incurs administrative costs in the preparation of these searches.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford that an annual fee of \$800. as compensation for the costs of these property tax searches.

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For President of the Council and under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes and unanimously approved on roll call:

WHEREAS, the Governing body of the Borough of Rutherford is desirous of designating newspapers 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 designated The News Leader of Rutherford, a newspaper published and distributed in the Borough of Rutherford as the official newspaper of the Borough of Rutherford; and

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, 251 Ridge Road, Lyndhurst, NJ 07071, The Record, 150 River Street, Hackensack, NJ 07601 and The Herald & News, One Garrett Mountain Plaza, West Paterson, NJ 07424 be designated as official newspapers to be used for the publication of items of Borough business that may be required or designated to be published.

**MINUTES OF AN ORGANIZATION MEETING OF THE
MAYOR AND COUNCIL
HELD SUNDAY, JANUARY 1, 2006**

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

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Rev. Ray Frazier gave the benediction.

As there was no further business to come before the meeting, Councilmember Fecanin moved the meeting be adjourned at 4:25 pm, seconded by Councilmember Sommer and unanimously approved on roll call.

Borough Clerk