

**MINUTES OF ORGANIZATION MEETING OF THE  
MAYOR & COUNCIL  
HELD TUESDAY, JANUARY 1, 2008**

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Councilwoman Keyes called the meeting to order at 3:40 p.m. Councilwoman Keyes asked Councilman Genovesi and Councilman Sommer to escort Mayor-Elect Hipp to the rostrum.

Robert Ortiz, Bergen County Republican Organization Chairman administered the Oath of Office to Mayor John F. Hipp.

Mayor Hipp delegated Councilman Genovesi and Councilman Sommer to escort Councilwoman-elect Inguanti and Councilman-elect Sasso to the rostrum.

Councilman Genovesi administered the Oath of Office to Councilwoman Inguanti and Councilman Sasso.

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**Mayor Hipp's Remarks:**

"Good afternoon and welcome to the reorganization meeting of the 2008 Governing Body of the Borough of Rutherford. I want to thank all of you for attending today and bearing witness to the miracle that is democracy. I want to thank Rev. Wilkinson who has graciously attended to deliver the invocation and benediction; I want to thank Robert Ortiz the Chairperson of the Bergen County Republican Organization for swearing me in; I want to thank and acknowledge members of my family who are here today and particularly my wife who has worked probably harder than I have because in addition to the campaign she kept the house, she kept me straight and it is a thankless job but somebody has to do it. I want to thank the members of the Governing Body for 2008 Councilman Fecanin, Sasso, Sommer, Genovesi, Inguanti and Keyes and I want to thank particularly Councilwoman Keyes for opening this session on our behalf today.

We begin this year with hopes for 2008, initially I want to wish all of you a very and happy and healthy New Year. It is my hope that this Governing Body will be able to make that happen for all of you. We have been elected and we owe a public duty to serve you by providing cost efficient responsible government and we will do so. As important as the work that we have to do, we also need to ensure that you are provided access to public records in a timely manner so that you may fully participate in the debates that will take place on matters of

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public concern this year. One of those matters is the municipal budget and today I am asking for the establishment of a citizen's advisory committee on finance. I will appoint members of the public to that committee at the next regularly scheduled meeting if it is approved. And of course members of the public will be entitled to attend not only public hearings on the budget we will invite them to attend hearings for the finance committee and at least one public forum that we will schedule before the adoption of the budget for comments. Our goal is to invite meaningful public participation in the process of making Rutherford affordable to its residents.

On another matter of public concern we will take all necessary and appropriate action to ensure that development projects in the Meadowlands area do not adversely affect the local character of our community. We will do all that is necessary in our power to end Encap and see to it that the contaminated landfills are properly closed so as to no longer threaten the safety and the health of our environment. I firmly believe that access to Government and appropriate communication with the residents are vital importance to good Government. Accordingly our Government will periodically sponsor forums concerning matters of public concern. I have already mentioned that we will plan one of those forums for the budget, in addition I will periodically schedule evenings with the Mayor so that all members of the public can come with your questions, your concerns and your suggestions for a better Rutherford.

I would like to conclude by saying that Abraham Lincoln was a firm believer in the people to him it is to bring them the real facts. At the end of the day it is not we up here who decide our future it is all of us as a people so for the best Government as far as I am concerned is Government by consensus and that is what we will bring to you in 2008. Thank you very much."

### **Councilwoman Inguanti's Remarks:**

"Good afternoon everyone. I would like to thank all of you for coming out on what has actually turned in to be a beautiful day. I would just like to start by underscoring a sentiment that I think has been reflected in a lot of what has been said here today. The seven of us, regardless of party have one very important thing in common. We sit here today because our families were willing to be regularly inconvenienced and to sacrifice the most precious thing that families have which is time together and that is the only reason that any of us are able to serve as Council and Mayor and I would just like to thank my family. I would like to thank my husband Rick, my boys Michael, Jack and Brian for their patience, help and support during this last year. I would like to say that mommy is going to be around more but that might not be the case, but thank you very much.

I would also like to thank the voters of Rutherford for giving me this opportunity. As a community we face numerous challenges, however difficult these challenges may seem they are not insurmountable. While there may be some tough times ahead and difficult choices to make, I look forward to working with the Mayor and Council, the Boards and Committees and

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Borough employees as we find solutions together. Rutherford is a lovely town in a great location with great schools. With so much to be proud of on this New Year's Day, what I am most grateful for is the people of this community. I am confident that with creative and thoughtful input from the citizens and our long standing and enviable tradition of volunteerism, Rutherford will continue to be a place we are proud to call home. Thank you very much."

### **Councilman Sasso's Remarks:**

"Good afternoon. I would like to thank everyone for taking the time to be here today, especially my friends and family, my wife Karen, my two kids Johnny and Kristen, my sister and brother and their families and especially my mom, thank you all.

"I would also like to share with you a little personal story. A couple of weeks back I was walking with my two children Johnny and Kristen. We were coming back from Ice Cream Charlie's and on our way back to the car which was parked opposite of Borough Hall, Johnny asked me what do you do as a Councilman? I explained to the kids that the people elected to office are there to serve the residents of the town. They are there to work together as a team to help everyone and to do the right thing and that sometimes that means making tough and difficult decisions. But that if they are all there to work together honestly, truthfully and with the intention of helping everyone then things will all work out. Johnny responded back that is nice daddy. I responded back to him and said yes it is Johnny and we went off with our milk shakes. Team work is very important just as you see in sports. Government is not about a single individual it is about a team effort when making vital decisions and also listening to various opinions and beliefs of others. I believe that together, the collective body of Mayor and six Councilmembers, that we can be a successful team and that we will serve the Borough of Rutherford to the best of our ability. I can assure you that no matter what discussions or decisions that may occur, that I will at all times act in the best interest of the residents of Rutherford. I would like to wish you all a happy and healthy New Year. Thank you all."

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Mayor Hipp invited former Mayors and Councilmembers to sit behind the rostrum. He introduced the following: former Councilmen Richard Allen, Peter Van Winkle, Dennis Moore, former Councilwoman and Mayor Margaret Schak, former Councilman Terry Scott, former Councilwoman Denise Ross, former Councilman and Mayor Andrew Bertone, former Councilman Richard Reyes, former Councilwoman and Mayor Bernadette McPherson, former Councilman Ray Carey, former Councilman Ray Frazier and former Councilman James Ely.

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

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The invocation was given by Rev. Peter Wilkinson of the First Presbyterian Church.

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The following Councilmembers were present:

Mayor Hipp  
Councilman Fecanin  
Councilman Sommer  
Councilwoman Keyes  
Councilman Genovesi  
Councilwoman Inguanti  
Councilman Sasso

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Mayor Hipp asked those present to join him in a salute to the flag.

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Mayor Hipp asked for nominations for Council President. Councilwoman Inguanti made a motion to put forward Councilman Genovesi, seconded by Councilman Sommer and unanimously approved on roll call.

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Mayor Hipp asked for nominations for Council Vice-President. Councilman Genovesi made a motion to put forward Councilman Sommer, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Councilman Genovesi stated that the Councilmembers have a copy of the by-laws of the Governing Body of the Borough of Rutherford.

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Councilman Genovesi made a motion to accept the following Resolution-laws, seconded by Councilwoman Keyes 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 2008, a copy of which is annexed hereto, be adopted as the By-laws of this Council for the year 2008; 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, with the following exceptions: in the month of November, the meetings will be held on the following Mondays: November 17 and November 24 in the month of December, the work session will be held on the second Tuesday, December 9 and the regular meeting on the third Tuesday, December 16, 2007.

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Mayor Hipp made the following Council liaison assignments:

- ◇ Finance Committee - Councilwoman Rose Inguanti and Councilwoman Maura Keyes
- ◇ Police Department - Councilman Genovesi and Councilman Fecanin
- ◇ Public Works - Councilman Sommer and Councilman Inguanti
- ◇ Fire Department - Councilwoman Keyes and Councilman Sasso
- ◇ Buildings and Public Utilities - Councilman Fecanin and Councilman Sasso
- ◇ Human Resources - Councilman Sasso and Councilman Sommer

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Mayor Hipp made the following presentations:

- ◇ Mayor Bernadette P. McPherson as former Councilwoman 1999 and Mayor 2000 - 2007
- ◇ Rev. Ray Frazier as former Councilman 1990 - 1995 and 1999 - 2007
- ◇ Councilman Reyes as former Councilman 2005 - 2007
- ◇ Borough Employees Years of Service
  - Lt. Patrick Feliciano - 15 years
  - Mary Kriston - 20 years
  - Officer Rob Arnold - 20 years

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- Jim Locarro - 20 years
- John Gardner - 20 years
- Karen Lamendola -20 years
- Linda Hricik - 20 years
- Robert Fagan - 25 years
- Judith Manzo - 25 years
- Acting Police Chief Joseph Merli - 25 years
- John Gumbman - 25 years
- Lillian Velez - 25 years
- Joseph DeCato - 35 years
- Tom Rood - 35 years

### RETIREED

- Police Chief Steven Nienstedt - 34 years
- Chauncey Campbell - 33 years
- Captain Thomas Farrell - 29 years

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### Mayor's Appointments:

**Borough Attorney, Lane Biviano, Esq.** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti, with all members present voting aye with the exception of Councilman Fecanin who voted nay and Councilwoman Keyes who abstained.

Mayor Hipp called Mr. Biviano to take a seat.

**Municipal Court Judge, Warren Stroedecke, Esq.** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti, with all members present voting aye with the exception of Councilman Fecanin who voted nay, Councilman Sommer and Councilwoman Keyes who abstained.

**Borough Prosecutor, Diane Lorenzo, Esq.** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti with all members present voting aye with the exception of Councilman Fecanin who voted nay and Councilwoman Keyes who abstained.

**First Alternate Rosario Presti, Esq.** - Councilwoman Inguanti made a motion seconded by Councilman Genovesi with all members present voting aye with the exception of Councilman Fecanin who voting nay and Councilwoman Keyes who abstained.

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**Public Defender, John Bruno Esq.** Councilman Genovesi made a motion seconded by Councilwoman Inguanti unanimously approved on roll call.

**First Alternate Public Defender, Marlena Huesmann Esq.** - Councilwoman Inguanti made a motion seconded by Councilman Genovesi with all members present voting aye with the exception of Councilman Fecanin who voted nay and Councilwoman Keyes who abstained.

**Borough Auditor, Garbarini and Garbarini** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti with all members present voting aye with the exception of Councilman Fecanin who voted nay and Councilman Sommer who abstained.

**Borough Engineer, Boswell/McClave Engineering** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti with all members present voting aye with the exception of Councilwoman Keyes who voted nay.

Councilwoman Keyes asked Mayor Hipp that she was under the impression the Borough has a three year contract with the Engineer. Mayor Hipp responded that was not his understanding.

**Insurance Commissioner, Peter VanWinkle** for a salary of a dollar a year. Councilwoman Keyes made a motion seconded by Councilman Genovesi and unanimously approved on roll call.

**Board of Adjustment, Michael Lee** - Councilwoman Inguanti made a motion seconded by Councilman Fecanin and unanimously approved on roll call.

**Board of Adjustment, Robert Holman** - Councilwoman Keyes made a motion seconded by Councilman Genovesi and unanimously approved on roll call.

**First Alternate Board of Adjustment, Eileen Joyce** - Councilman Genovesi made a motion seconded by Councilwoman Inguanti and unanimously approved on roll call.

**Planning Board Class 3, Councilwoman Rose Inguanti** - Councilman Genovesi made a motion seconded by Councilwoman Keyes and unanimously approved on roll call.

Mayor Hipp stated that as of this day there is a vacancy in the position of the Borough Administrator and per Chapter 4 Article 8 of the Ordinances of the Borough of Rutherford, the Borough Administrator is appointed by the Mayor with the advice and consent of the Council. Mayor Hipp said he has thought about this position and he believes they have a person in the community, a person who is highly qualified to fill the position, she is Dr. Robin Reenstra-Bryant. The Mayor said however, he will not put forward her name today because he wants members of the Governing Body and the public to be afforded the opportunity to learn more

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about her and her abilities. Mayor Hipp said he will ask for confirmation at a regular meeting later in the month. The Mayor said if there are any questions, do not hesitate to contact her or attend meetings and ask him or anyone else.

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President of the Council, Councilman Genovesi made a motion to move that all the items on the Consent Agenda be passed, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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 2008 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 2008; 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 &amp; Wages</u>	<u>Other Expenses</u>
Mayor & Council	5,500	1,000
General Administration	39,000	1,000
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

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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	
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		12,500
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		27,732
Green Trust Loan (Principal and Interest)		2,799

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Bergen County Improvement Authority:		
	Principal	88,571
	Interest	6,835
	Interest on Notes	295,500
FICA		120,000
Consolidated Police & Fire Retirement System		10,000
Fire Widow's Pension		6,000
Capital Improvement Fund		50,000
Tax Appeals		40,000
	<b>TOTALS</b>	<b>\$2,391,300</b>
		<b>\$2,215,437</b>

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti and unanimously approved on roll call:

**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  
 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 Eleanor Molan

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

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Chief of Police, or CFO  
(Any one)

signed by Borough Clerk

Borough of Rutherford  
Municipal Court Account-Fine Account  
Acct # 4009-011913  
Checks signed by Court Administrator,  
Deputy Court Administrator and Judge  
(any two)

Borough of Rutherford  
Current Account  
#4009-01190-5  
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,  
Boro Clerk or CFO (any two)

Rutherford Civil Rights/Multicultural Account  
Acct #0095-2311-4171  
Checks signed by CFO and  
Borough Clerk

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti and unanimously approved on roll call:

**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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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 2008 Petty Cash Funds:

Borough Clerk - Mary P. Kriston	200.00
Public Works Dept.- Christopher Seidler	200.00
Recreation Dept. - Barbara Bennett	100.00
Health Dept. - Brian O'Keefe	<u>100.00</u>
	<b>\$600.00</b>

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti and unanimously approved on roll call:

**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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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

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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 2008; 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, Edward Cortright, is hereby authorized during the year 2008 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;

**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 2007 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 she 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 units 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, and 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.

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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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti and unanimously approved on roll call:

**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, 2008 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 2008.
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 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 4009-011905, 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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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 investment of certain funds of the Borough of Rutherford and certain other matters relating thereto; and

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**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
Capital Fund	409000086
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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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

**NOW, THEREFORE BE IT RESOLVED**, that the Borough of Rutherford Cash Management Plan be continued for 2008.

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti and unanimously approved on roll call:

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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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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, Councilman Genovesi moved the following Resolution, seconded Councilwoman Inguanti 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 be charged to the vendor as compensation for the costs of these property tax searches.

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Councilman Genovesi made a motion to appoint the Newsleader as the official newspaper of Rutherford, seconded by Councilwoman 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 designates 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.

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Under the Consent Agenda, Councilman Genovesi made a motion to establish a Citizen Advisory Committee for Finance, seconded by Councilwoman Inguanti and unanimously approved on roll call.

**WHEREAS**, the Mayor and Council of the Borough of Rutherford are charged with the responsibility of the financial health of this community for the good of its citizens; and

**WHEREAS**, it is the desire of the Mayor and Council to be inclusive of its constituents in the matters of finances and fiscal responsibility;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Rutherford do hereby establish the Citizen Advisory Committee for Finance in the Borough of Rutherford.

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Mayor Hipp asked all the appointees present to stand for the Oath of Office.

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Benediction – Rev. Wilkinson

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Councilman Fecanin moved to adjourn at 4:35 p.m., seconded by Councilman Genovesi and unanimously approved.

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Borough Clerk