

**MINUTES OF ORGANIZATION MEETING OF THE
MAYOR & COUNCIL
HELD FRIDAY, JANUARY 1, 2010**

Mayor Hipp called the meeting to order at 12:05 p.m.

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The Mayor asked Councilwoman Birdsall and Councilman DeSalvo to escort Councilman-Elect John Parnofiello to the rostrum.

Thomas Keenan, Esq. administered the Oath of Office to Councilman Parnofiello.

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Mayor Hipp noted changes to the agenda:

- Councilman Genovesi not being sworn-in due to illness.

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Councilman John Parnofiello:

"I won't be long as some people have ball games to watch with a Rutherford resident who is playing in a big one today to try to get his Northwestern team their first Bowl win in 60 years, so I will be quick. I want to start out today about saying how honored I am to take a public office in my hometown. The Borough of Rutherford has done so much for me and I am eager to begin my Council term and do the best I can to serve it. I want to congratulate Councilman Genovesi on a successful re-election bid. I thank my running mate Maura Keyes for her service to the Borough and her guidance along the trail. I also want to wish Todd Hennessey well, on a hard fought effort. Being elected to the Rutherford Borough Council is a dream fulfilled and I want to thank those among others who helped me get to this point; my parents Diane and John, my brother James have always been there for me and have always supported all my endeavors and for that I thank them; my grandmother Mary Parnofiello has instilled values in me that I take everywhere I go and for that I want to thank her; also I want to thank the Keenan's, the McCarthy's, the Monaco's, the Seddo's for all their support and my friends for helping me fulfill this goal. I want to thank Freeholder Bernadette McPherson, former Mayor Glenn Elliot, Maura Keyes, Richard Reyes, Denise Ross, and Councilwoman Kim Birdsall for giving me the opportunity to run this year. Finally, I want to thank every Rutherfordian who had the confidence to vote for me. We are living through tough economic times and I look forward to working with the Mayor and Councilmembers on finding solutions to improve our Borough. We may not always have the same viewpoints but as long as we have the interest of Rutherford at heart, I am confident we will rise above. I always welcome residents' ideas and viewpoints and believe it is essential for a truly effective government process. I love Rutherford, as I love my family and friends and I will always do what I believe is best for it, at all times. Thank You!"

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Mayor Hipp invited former Mayors and Councilmembers to sit the rostrum. The Mayor thanked the prior members of the Governing Body for their years of service. Former Council members Peter Van Winkle, Richard Allen, Ray Frazier and former Council and Mayor Glenn Elliot were in attendance.

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Mayor Hipp introduced Senator Paul Sarlo.

Senator Sarlo congratulated Councilman Parnofiello and wished him and Councilman Genovesi the best; to the people of Rutherford and the Governing Body the people have spoken and the election season is beyond them and although sometimes people vote for a divided government that does not mean they want an acyromous government so the members of the Body, in Trenton the people spoke loudly and clearly and gave them a new Governor Chris Christie. Sen. Sarlo said they also with overwhelming support called for a Democratic Legislature and as the incoming Chair of the Senate Finance Committee and the Leadership Team, discussions are underway to work closely with the new Governor to try to get our State back on sound fiscal footing. The Senator said it is important that they do that for the betterment of the taxpayers so as they do have a divided government trend, they hope to be able to work together and solve the fiscal problems though they may disagree on issues but at the end of the day it is the people of the great State of New Jersey that they have been elected to represent and hopefully it carries down to the Counties that he represents. Senator Sarlo said regardless of who is sitting behind him, Republican or Democrat he pledges to work with each and every one of them for the betterment of the taxpayers of Rutherford as they are all public servants and they get elected to represent each and every one of them. The Senator said they begin a new government in Rutherford of one new elected official and one re-elected but hopefully together any differences they have could be put aside for the betterment of the taxpayers of Rutherford; he thanked all and wished all a happy, healthy New Year.

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Borough Clerk Mary Kriston read the provisions of the Open Public Meetings Act.

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The invocation was given by Rev. Wilkinson.

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The following Councilmembers were present:

Mayor Hipp
Councilwoman Inguanti
Councilman Sasso
Councilwoman Birdsall
Councilman DeSalvo
Councilman Parnofiello

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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 wished to make a nomination for Councilman DeSalvo as Council President.

Councilwoman Inguanti made a motion to put forward Councilman DeSalvo as President, seconded by Councilman Sasso. No further nominations were made.

Councilwoman Inguanti made a motion to close nominations, seconded by Councilman Sasso with all members present voting aye.

Mayor Hipp asked for roll on the main motion to elect Mr. DeSalvo as Council President; all members present voted aye.

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Councilman DeSalvo made a motion to adopt the 2010 By-laws, seconded by Councilwoman Birdsall with all members present voting aye.

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Councilman DeSalvo made a motion to adopt the Meeting Schedule for 2010 with the meetings being held on the 2nd and 4th Tuesday of each month at 7:00 p.m. in the Committee of the Whole Room, seconded by Councilwoman Inguanti with all members present voting aye.

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Council Committee Liaison Assignments

Councilman DeSalvo made a nomination for the **Chair of the Finance Committee** to be **Councilwoman Inguanti**, seconded by Councilwoman Birdsall. No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilman DeSalvo with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a nomination for **Councilman Genovesi** as **Police Liaison**, seconded by Councilwoman Inguanti. No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilwoman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilwoman Birdsall made a nomination for **Councilman DeSalvo** as **Public Works Liaison**, seconded by Councilwoman Inguanti. No further nominations were made.

Councilwoman Inguanti made a motion to close nominations, seconded by Councilwoman Birdsall with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a nomination for **Councilman Parnofiello** as **Fire Liaison**, seconded by Councilwoman Birdsall. No further nominations were made.

Councilwoman Inguanti made a motion to close nominations, seconded by Councilwoman Birdsall with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a nomination for **Councilwoman Birdsall** as **Building and Public Utilities Liaison**, seconded by Councilman Sasso. No further nominations were made.

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Councilman DeSalvo made a motion to close nominations, seconded by Councilwoman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a nomination for **Councilman Sasso** as **Human Resources Liaison**, seconded by Councilwoman Birdsall. No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilwoman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a motion to nominate **Councilwoman Birdsall** to serve as **second liaison to the Police**; **Councilman Parnofiello** to serve as **second liaison to Public Works**; **Councilman Sasso** to serve as **second liaison on Fire**; **Councilman DeSalvo** to serve as **second on Finance**; **Councilman Genovesi** to serve as **second liaison on Buildings and Public Utilities**; **Councilwoman Inguanti** to serve as **second liaison for Human Resources**; seconded by Councilwoman Inguanti. No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilwoman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a motion to nominate **Councilwoman Inguanti** as the **Class 3 Member to the Planning Board**, seconded by Councilwoman Birdsall. No further nominations were made.

Councilman DeSalvo made a motion to close nominations, seconded by Councilman Sasso with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilwoman Inguanti made a nomination for **Councilman DeSalvo** to serve as a **Trustee on the Downtown Partnership**, seconded by Councilman Sasso. No further nominations were made.

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Councilwoman Inguanti made a motion to close nominations, seconded by Councilman Birdsall with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a motion to nominate for the following additional liaison assignments:

- **Municipal Alliance - Councilwoman Inguanti**
- **Board of Education - Councilman Sasso**
- **Youth Advisory Committee – Councilman Parnofiello**
- **Economic Development Committee – Councilman DeSalvo**
- **55 Kip Center – Councilman DeSalvo**
- **Board of Aesthetic Review – Councilwoman Birdsall**
- **Historic Preservation – Councilwoman Birdsall**
- **Williams Center – Councilwoman Birdsall**
- **West End Committee – Councilwoman Birdsall**
- **Board of Health – Councilman Parnofiello**

Seconded by Councilwoman Inguanti.

Councilwoman Birdsall noted the new structure in the by-laws some items were changed but for the record indicated her interest in continuing as liaison for the Green Team. Councilman DeSalvo replied that needed to be done by ordinance and they would talk about that at a future meeting.

No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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Councilman DeSalvo made a motion to nominate **Councilwoman Birdsall** to continue as **liaison to the Board of Adjustment**, seconded by Councilwoman Inguanti. No further nominations were made.

Councilwoman Birdsall made a motion to close nominations, seconded by Councilman Inguanti with all members present voting aye.

Mayor Hipp asked for roll on the main motion; all members present voted aye.

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MAYOR HIPPI'S ANNUAL ADDRESS

"Good afternoon members of the Council and Honored Guests and members of the public, Happy New Year and welcome to today's actually begins the second decade of the 21st Century and as we leave behind 2009 I want to take a moment to reflect on from where we've come. At the outset let me say that it has been a very busy year for the office of the Mayor. Much was accomplished. Yet much remains to be done.

It has always been my goal to end the economically disastrous PILOT Agreement with Encap, have landfills remediated with private funds and not taxpayer dollars and prevent construction of a large housing development on top of the landfills in Rutherford. We did so in 2009. Through our efforts, the PILOT Agreement was terminated. AIG, through its subsidiary, AHA Meadowlands, honored its surety bond and will finish cleanup of the Rutherford's landfills site as quickly as possible. And, there will be no housing constructed on top of those landfills. As a result of the willingness of AHA and the Meadowlands Commission, we also no longer suffer from the severe economic hardship wrought upon us by this project. At our request, the Meadowlands Commission made a generous contribution of \$200,000 for direct taxpayer relief in 2009 and AHA agreed to pay \$1.5 million of tax debt to the Borough of Rutherford.

As a result, in 2009, we achieved the smallest increase in the municipal tax levy in years. That is so, notwithstanding the most difficult economic circumstances on us in generations. And just this week, we recovered over \$700,000 in funds left over from loans that were supposed to have been paid off in 2007. They were simply sitting in accounts at TD Bank. Yet it's not over. 2010 presents its own set of challenges. It seems that we are not blessed or privileged to serve in economically robust times. Nevertheless it is our public duty to do the best we can for the residents of this community. We still have roads and curbs to repair, sewer and storm water infrastructure issues to contend with as well as the elevator at the Kip Garage. We still have to combat rising costs, cuts in aid, unfunded State mandates and other demands on our resources.

We continue to experience declining revenues. We have lost approximately \$25 million in our tax base since January 1, 2008. That translates into a loss of over one-half million dollars every year in tax revenues for our schools and municipal budgets. This reduction is mainly due to tax appeals generated by the economic downturn in the real estate markets coupled with a district-wide revaluation that took place during the height of the housing bubble-a questionable move at best. But we are up to the challenges. We will confront these problems effectively and always with the view toward preserving and protecting public funds: and let me assure all who have a stake in the welfare of this community: We will not solve these problems with double digit property tax increases as has been done in the past. We will continue to seek ways to cut costs and generate alternative revenues, so that the burden of these problems do not fall solely on the shoulders of the taxpayers. In these hard times the taxpayers already shoulder a heavy burden.

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So, we continue to aggressively seek contributions to medical benefits from our employees. Considering that our line item for medical benefits constitutes approximately 4 million out of the \$20 million municipal tax levy, we believe that it is appropriate to seek substantial savings in that area.

Nor will we rule out targeted layoffs in order to achieve efficiency and economy, without adversely affecting the services we must provide. It is simply irresponsible for elected officials not to consider these areas of potential savings as we fight to stabilize property taxes and the rising cost of providing municipal services.

We continue to actively explore municipal sharing arrangements. We also continue to explore alternative means of raising revenues such as increased revenues from recycling. We continue to actively seek to reduce our energy costs, explore sustainable energy resources and reduce our carbon footprint. These and other initiatives both large and small are the cornerstones of our policy.

Although we cannot promise reductions in property taxes during these troubled economic times, we can promise a conservative and fiscally responsible tax policy that promotes the kind of budgets which limit our spending to only what we can afford.

So let me once again thank you all for being here today and have a happy and healthy new year."

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PRESENTATION OF AWARDS

➤ Library – Gerry Grenier Treasurer of the **Library Board of Trustees** thanked all for their support in making the Rutherford Library one of the strongest institutions in town.

Jane Fisher presented three books that would be added to the Library's collection in honor of the 2010 Mayor and Council.

- **Borough Employees Years of Service**
 - **Eleanor Molan – 20 Years**
 - **Nora Dolan – 25 Years**
 - **Alfred DeCarlo – 25 Years**
 - **George Egbert - 35 Years**
 - **Maura Keyes – Councilmember**
 - **Thomas Reid – Police Dept.**
 - **Joanne Wilcsynksi - Library**

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Mayor's Appointments:

Mayor Hipp said he would not be making appointments in part because there was an uncertain results of the election as there was a contest going on; nominations which require confirmation by the Council he was holding off. Mayor Hipp said in regards to nominations and selections that do not require the Council, he didn't want to burden everyone with that he would make those selections outside of a Council Meeting and he would have them done the following week and report to the Council at the Regular Meeting on January 12.

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President of the Council, Councilman DeSalvo deferred to Councilwoman Inguanti to make the motion for the finance consent items.

Councilwoman Inguanti made an omnibus motion for the following fifteen items starting with the temporary budget, seconded by Councilman DeSalvo with all members present voting aye:

RESOLUTION NO. 1

WHEREAS, R.S. 40A:-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2010 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 2010; 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:

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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	<u>Salaries & Wages</u>	<u>Other Expenses</u>
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
Finance/Administration		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		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		53,034
Green Trust Loan (Principal and Interest)		2,799
Bergen County Improvement Authority:		
Principal		91,006
Interest		9,624

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	<u>Salaries & Wages</u>	<u>Other Expenses</u>
FICA		120,000
Fire Widow's Pension		6,000
Capital Improvement Fund		50,000
Tax Appeals		40,000
TOTALS	\$2,391,300	\$1,940,463

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RESOLUTION NO. 2

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 by Mayor, Clerk,
CFO, Administrator or
Payroll Supervisor (any two)

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

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

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

Borough of Rutherford
Dog Fund Acct.
Acct. #409-00013-2
Checks signed by Eleanor Molan
Police Director, or CFO (any one)

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

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

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

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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, Clerk or CFO (any two)

Borough of Rutherford
Green Trust Account
Account #0038-1513-6412
Checks signed by CFO, Clerk,
or Administrator (any two)

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

Borough of Rutherford
Community Development Trust Acct.
Acct. 4009-011921. Checks signed
by CFO, Administrator & 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 Administrator,
Clerk or CFO (any two)

Borough of Rutherford
COAH Trust Escrow Account
Acct. # 0038-1267-3907
Checks signed by CFO and Borough Clerk

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RESOLUTION NO. 3

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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RESOLUTION NO. 4

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 2010 Petty Cash Funds:

Borough Clerk - Mary P. Kriston	200.00
Public Works Dept.- Christopher Seidler	200.00
Recreation Dept. – Denise Brennan	100.00
Health Dept. - Brian O’Keefe	<u>100.00</u>
	\$600.00

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RESOLUTION NO. 5

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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RESOLUTION NO. 6

WHEREAS, N.J.S.A. 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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RESOLUTION NO. 7

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 2010; 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 2010 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;

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 2010 on an as needed basis;

BE IT FURTHER RESOLVED, that:

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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.

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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RESOLUTION NO. 8

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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RESOLUTION NO. 9

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

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WHEREAS, the Borough is charged a returned check charge of \$40.00 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 \$40 be charged for each item returned for insufficient funds or other reasons.

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RESOLUTION NO. 10

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE BOROUGH OF RUTHERFORD FOR THE YEAR 2010

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, 2010 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 2010.
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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RESOLUTION NO. 11

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

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
LOSAP	4009-01190-5

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

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RESOLUTION NO. 12

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 2010.

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RESOLUTION NO. 13

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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RESOLUTION NO. 14

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 \$600 be charged to the vendor as compensation for the costs of these property tax searches.

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RESOLUTION NO. 15

WHEREAS, the Borough of Rutherford provides a comprehensive health benefits program comprised of medical, prescription, dental and vision coverage for eligible municipal employees, dependents and retirees; and

WHEREAS, the Borough, in consultation with the Borough's insurance consultant and legal counsel has been working on initiatives to control the increasing cost of the Borough employee health benefits program while ensuring the Borough maintains its contractual and moral obligations to the employees, dependents and retirees covered by the plan; and

WHEREAS, specifically, the Consultant recommends a Program be offered to municipal employees/Plan participants eligible for health benefits through the Borough Program the option to voluntarily waive participation in consideration of an annual financial incentive.

MINUTES OF ORGANIZATION MEETING HELD JANUARY 1, 2010

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Rutherford, County of Bergen, hereby authorizes an offering to municipal employees/Plan participants eligible for health benefits coverage through the Borough Employee Health Benefit Program to voluntarily waive participation in consideration of an annual financial incentive; and

BE IT FURTHER RESOLED, the waiver of benefits financial incentive shall be set on an annual basis, such incentive set for the 2010 calendar year as follows:

ELIGIBLE COVERAGE	ANNUAL FINANCIAL INCENTIVE (2010)
Single	40% of annual premiums
Employee/Spouse	40% of annual premiums
Parent/Child	40% of annual premiums
Family	40% of annual premiums

And

BE IT FURTHER RESOLVED, the specific terms and conditions of said waiver of coverage are contained within the "2010 Waiver of Coverage Offer and Agreement," a copy attached herewith and affirmed by the Resolution; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough Finance Officer, Health Benefits Consultant, Borough Attorney and Borough Legal Counsel.

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Councilman DeSalvo made a motion to move the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye.

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 Record, as the official newspaper of the Borough of Rutherford; and

NOW, THEREFORE, BE IT RESOLVED that The Record, 150 River Street, Hackensack, NJ 07601 be designated as the official newspaper to be used for the publication of items of Borough business that may be required or designated to be published.

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The Benediction – Rev. Wilkinson

MINUTES OF ORGANIZATION MEETING HELD JANUARY 1, 2010

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Councilman DeSalvo moved to adjourn at 1:05 p.m., seconded by Councilwoman Inguanti with all members present voting aye.

Borough Clerk