

**MINUTES OF AN ORGANIZATION MEETING OF THE
MAYOR AND COUNCIL
HELD SATURDAY, JANUARY 1, 2005**

The meeting was called to order by Mayor Bernadette P. McPherson at 12:10 pm.

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Mayor McPherson invited and introduced former Mayors Glenn Elliott, Bill Brooks, Barbara Chadwick and former Councilmembers Denise Ross and Martha Lozada to sit on the rostrum.

The Mayor acknowledged the presence of her colleague on the Freeholders Board, Tom Padias, Mayor Anthony Suarez of Ridgefield and Councilmember Omar Rodriques of Saddlebrook.

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

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Rev. Ronald W. Johnson gave the invocation.

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Mayor McPherson asked Councilmember Fecanin and Councilmember Matthews to escort Councilmember-elect Frazier and Councilmember -elect Reyes.

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

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

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Councilmember Reyes=s remarks:

ATo my friends, family and neighbors, it is an honor to be here with the Mayor and my fellow Councilmembers in representing the great Borough of Rutherford. The task that lies ahead is one of hard work but good work, of overcoming difficulty but fortunately we are prepared and as such will serve our residents proudly. It is with great pride that I have accepted to be part of this governing body, a Mayor and Council dedicated to the people they serve, committed to excellence and providing the best services to the residents of

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Rutherford. It is their work that clearly show that Rutherford continues in its progress. I stand here humbled by the trust given to me by our residents, a trust I will not take lightly but embrace to be able to serve my community as best as possible. To work hard and protect a way of life second to none in the state of New Jersey. There are many people I must thank, I have to begin by thanking my wife Susan, without her encouragement, patience and love I would not have been able to take on this challenge. I also have to thank my children, Walter, Christopher and Katelyn. They walked with me and supported me in every step. I also have to thank my friends, neighbors, co-workers for their continued support. I also want to thank people like Denise Ross, Martha Lozada, Ernestine Magnum, my running mate Councilmember Ray Frazier whose words of inspiration and his continued drive is a lesson to us all. Ray, I want to thank you. I also would like to say a few words about Councilmember Tom Arnold who has always given to Rutherford and has always been gracious with me during our conversations, I wish him and his family the best and I thank him for his generosity to the Borough of Rutherford. There are too many to name here today, but I want to thank you all. I also want to acknowledge the employees and the many volunteers of Rutherford, they not only give of their time but their ideas and their heart. Rutherford is fortunate to have so many give so much. Mayor McPherson, my colleagues on Council, my friends, family and neighbors, I once again thank you and wish everyone a happy New Year.

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Councilmember Frazier=s remarks:

AMayor, fellow Councilmembers, to our former elected servants of this community, ladies and gentlemen: It is a great honor to come before you at this time knowing that we are to serve for another term. Very often within our churches we hear the minister, preacher say AYou didn=t have to do it but you did@ and certainly this is what I say to the residents of Rutherford. You didn=t have to do it but you did... gave me another opportunity to work with our fabulous Mayor and this Council in serving you and bettering this community to the best of our ability. I want you to know that I pledge all over again to give of everything I=ve got to make this community pleasing in the sight of the divine and also to make us neighbors one unto the other. One of my friends said recently Athis is a position of prestige@ and it is a position of prestige but it=s the kind of prestige that comes from service, it=s the kind of prestige that comes from raising the question - what are the needs and how can we best address them and how can I be effective in making the place in which we live a better place, a friendlier place, a place in which there is growth, a place in which we find that we do the things that make for not only improvements but that make us a model for other municipalities the country over. Because we are small makes no difference. Size has nothing to do with this office, what it is, its an office of responsibility and therein

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lies the prestige. This office is also an office of pressure, of every decision that we make, every vote that we make is subject to some type of criticism, whether we find it good in some sight and then there's always going to be somebody, always somebody, that's going to look at it another way. So therein lies the pressure, but they say if you can't stand the heat, well if I can't stand the heat, I must stay in the kitchen anyhow. I take this opportunity also to thank my family, my bride for all these years who puts up with me in coming to these meetings and discussing the matters that come before us that are discussable and for sharing the material with me as we work together in preparation for the meetings. I thank my children for all of their help in being supportive and being in the grandstands as we have chosen to be a public servant. I thank my grandchildren for being there even though they may not understand all that is going on now, this kind of position, this kind of office is for children of their size in this Borough. This though is interesting from another standpoint, we are a growing Borough, we wonder sometimes how can we do it. Well, it can be done, we will work at it being done. We look sometimes in terms of the growth, how does the growth come? The growth comes because the word gets out, the word gets out that this is a Borough that cares, that this is a Borough that responds, that this is a Borough that listens. So if this is a Borough that cares and listens and responds, certainly it's a Borough that will be open for others to move in, it will be a Borough in which persons will want to live in Rutherford. We want persons to live in Rutherford because they know that they are coming to a good place. To those that have served who are sitting around me at this time, I thank you for the service and the friendship that you have given. My thanks also to the members of the party, my thanks also to those who have made this opportunity possible. As Rich has indicated and certainly our prayers for Thomas Arnold in all that he has given unto us in this Borough. So as we serve this term we prayer for your continued support and be assured that we will continue to give our all that we may not only grow but that we may be the Borough that we want to be. Thank you@

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Mayor McPherson introduced Senator Paul Sarlo:

AGood morning, Happy New Year to our newly elected Councilmen. Richard Reyes, I know you are going to do an outstanding job, I know the efforts you put forward to get elected and I know what you do both in your free time helping this community and as a law enforcement officer. You are truly a public servant. What a great speech, Councilmember Frazier, I think we need more Council meetings to keep some of us quiet. Councilmember Frazier, everything he's done both here in this community and helping people beyond this community, his words of wisdom, and his advice as a spiritual leader. Rutherford is a great community. Political season is over, it is time to govern. Open a newspaper and see what is happening around the world, the turbulence, the tragedy, disasters

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and the wars that are going on. It is important to be thankful for what we have here in America and it starts right here at the community with strong, local elected leaders to keep this community together. It is important that we do that not only around this great state but around the country. Congratulations, a healthy, happy New Year and our office is always available to assist in any way especially with much needed dollars.@

Mayor McPherson said that we are grateful to Senator Sarlo and certainly proud that he represents us here in the 36th district.

Mayor McPherson invited former Councilmember Bob Ordway to join them on the dias.

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The following Council members were present on roll call:

Councilmember Frazier
Councilmember Fecanin
Councilmember Matthews
Councilmember Bartlett
Councilmember Keyes
Councilmember Reyes

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

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

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Mayor McPherson acknowledged and introduced the County Executive Dennis McNierney:

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A Thank you Mayor and Council and to the residents of Rutherford. I just want to wish everyone a Happy New Year and I look forward to working with all of you as well and to the newly sworn in Councilmembers, sorry I missed it due to traffic here in Rutherford. I do want to emphasize that I look forward to working with the Mayor and Council, the new Freeholder Chairwoman as well as Freeholders in the audience, Freeholder Elect Tom Padias. Congratulations everybody and Happy New Year. Thank you.@

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President of the Council Fecanin moved the following resolution, seconded by Councilman Frazier 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 2005, a copy of which is annexed hereto, be adopted as the By-Laws of this Council for the year 2005; and

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

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Mayor McPherson made the following Council Assignments:

COUNCIL ASSIGNMENTS - 2005

FINANCE COMMITTEE -

**Councilmember Keyes
Mayor McPherson**

POLICE COMMITTEE -

**Councilmember Bartlett
Councilmember Reyes**

PUBLIC WORKS -

**Councilmember Fecanin
Councilmember Matthews**

FIRE-

Councilmember Reyes

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Councilmember Frazier

BUILDINGS & PUBLIC UTILITIES-

**Councilmember Frazier
Councilmember Fecanin**

HUMAN RESOURCES-

**Councilmember Matthews
Councilmember Fecanin**

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Mayor McPherson made the following liaison assignments:

Councilmember Fecanin Board of Adjustment, Special Events Committee, Local
Emergency Planning, Recycling Committee, Recreation
Advisory Committee and OEM.

Councilmember Matthews Ambulance, The Local Assistance Board, the Board of
Health and 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.

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, and The
Rent Board

Councilmember Reyes Meadowlands Municipal Committee, Municipal Alliance,
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

January 1, 2005

Dear Editor:

Rutherford Mayor Bernadette P. McPherson=s 2005 Annual Address

On behalf of the Borough I would like to take this opportunity to wish everyone a happy and healthy 2005!

I thank you for being here today to witness what has only occurred in the Borough once before in all its history BB and that is a full Democratic majority on the Borough Council. It is historic, however I believe the people of Rutherford chose the individuals before you to represent them based on their policies and not their politics. I commend them for their wise choice.

I am looking forward to serving again with Councilman Ray Frazier. His experience and compassion serve our residents well. Richard Reyes has already demonstrated his commitment to the people of Rutherford. I know that he will distinguish himself as a council member and a valued member of this governing body.

Like my colleagues before me I=d like to mention that our thoughts and our prayers are with Councilman Tom Arnold, his wife Helen and their family. His service to the Borough of Rutherford was most appreciated. As for those policies I mentioned, in 2004 they led us to accomplish many goals set for us by you our residents. The improvements to Tryon Field and Lincoln Park are the most notable. In both of those projects Councilman George Fecanin must be acknowledged for his dedication in seeing them through. The opening of the new DPW garage as well as the modifications to Station Square have all taken place under his watch as our DPW liaison. I thank him for his dedication.

No less a goal was set for us to continue to find ways to alleviate the tax burden on our residents. We end 2004 as we have ended the last 6 years-- with over a million

dollars in surplus while maintaining a stable tax rate. We did so by aggressively seeking grants and aid from the state and county sources as well as over a million dollars in proceeds from the sale of the previous DPW garage site and by our successful negotiations with Encap. In all areas we succeeded by leaving no stone unturned and seeking nothing less than the best for our residents. Councilwoman Keyes in her first term as Finance Chair should be commended for her efforts here.

For the first time in 2004 the borough undertook a visioning process. Its intent-- to map the future of Rutherford for the next 25 years. Of importance to our residents was the Kip Center

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and the significance it has to our seniors and their quality of life. Improvements to the Kip Center and Kip Avenue are under way as Councilman Matthews mentioned in his address at the earlier meeting and I would like to commend him for his role in those efforts.

In time such as these our ability to make the Borough a safe environment is of the utmost concern to all of us. In 2004 with the assistance of valued members of our Fire Department and its liaison Councilman Frazier, we will soon be securing three new engines in the most cost efficient way. Councilman Frazier is to be commended for that.

2004 saw a successful conclusion of negotiations with our PBA as well a continuation of advancements in training and equipment for the department. Councilman Bartlett as Police Liaison deserves and serves so well in that role.

We must continue to be guided by our residents in formulating those policies that have lead so successfully to achieving many of our goals. Implementing those policies is the hands of those who serve all of us day to day. I am happy to report that we are all in very, very good hands.

In February of this year, Mr. Timothy Stafford joined us as Borough Administrator. In a short period of time he has shown himself to be a person of boundless energy and a wealth of knowledge. I thank him for his diligence and perseverance in his first year of what I hope will be many years with us.

Mr. Tom Verdino who is also one of our Fire Chiefs, took over the reins of our DPW in the spring and was soon joined by Supervisors Chris Seidler and Don Tomko. I, like many of our residents began to see almost immediately marked improvements to our ability to deliver services and those improvements continue and I know will continue under their leadership, so I thank them as well.

In early June and in the middle of our budget process, we were informed by our long time and much-admired CFO Ed Cortright that he would be retiring after 27 years of service. While we searched for someone that could fill his shoes, Caryn Miller, our tax collector, was so generous and helpful with her time in assisting us over that period, so I thank her for her service as well.

Generous and helpful with his time in a different way was our Police Chief Steven Nienstedt. On his own vacation time, he spent a month with FEMA in October assisting victims of the devastating hurricanes that hit Florida and other states and I=ed like to say how proud we are of him that he serves us here as well.

Our Fire Official, now Fire Marshal Paul Dansbach was honored in October by a national organization for his efforts in education of Fire Safety. He continues to make us proud of his reputation in the field and his ability to offer his expertise to us. Thank you Paul.

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As always, I'd like to thank our able Clerk, Mary Kriston for assisting us in our duties here.

Our Borough Attorney, Anne Marie Rizzuto as well as our Engineer Matt Neuls and our Planner Ryan Rapp who also assist us in advising us on how to accomplish our goals.

In 2005 it is my hope to continue the progress we have made with the cooperation and input of our residents and those that serve them.

Thank you very much.

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Mayor McPherson presented the following employee and retiree awards:

15 YEARS OF SERVICE

Margaret Bornemann - Borough Clerk's Office

Vincent DeCarlo - DPW

20 YEARS OF SERVICE

Robert Bartolomeo - DPW

Mary Melfa - Purchasing

25 YEARS OF SERVICE

Bobby Sousa - DPW

Paul Penna - DPW

Paul Dansbach - Bureau of Fire Safety

Lt. Ciser - Police Dept.

30 YEARS OF SERVICE

Chauncy Campbell - DPW

Bill Goldy - DPW

RETIREMENT

Miriam Sawyer - Library Director

Ed Cortright - CFO

Chris Leebardt - Administration

COUNCIL

Thomas Arnold

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Mayor McPherson appointed the following:

Timothy F. Stafford - Borough Administrator

AnneMarie Rizzuto - Borough Attorney

Schoor DePalma, served by Matthew Neuls - Borough Engineer

Ferraioli, Wielkotz, Cerullo and Cuva - Borough Auditor

Victor Gardella and Professional Risk Associates - Borough Risk Manager.

George Savino - Municipal Court Judge

Kari Larsen - Municipal Prosecutor

Peter Malchione -Municipal Prosecutor Alternate

Charles Sciarra - Municipal Public Defender

Joseph Horn - Municipal Public Defender Alternate

Eric Bernstein - Labor Counsel

Paul Barbire - Tax Counsel

Caryn Miller - Tax Collector

Cliff Whitmyer - Special Events Coordinator

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

Rod Leith - Borough Historian, confirmation moved by Councilmember Bartlett, seconded by Councilmember Matthews and unanimously approved on roll call

To the Board of Adjustment: Mayor McPherson thanked retiring member AnnMarie McCarthy for her service to the Board.

Michael, Schilare

Ulyses Diaz, Alternate #1

Michael Lee, Alternate #2

Robert Ordway

Paul Cuchinelli to fill the unexpired term of AnnMarie McCarthy

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

To the Site Plan Review Committee:

Mayor McPherson

Michael Sartori

Matthew Neuls

Ken Snapp

Ryan Rapp

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

To the Planning Board:

Mayor McPherson, Class 1

John Uhl, Class 2

Councilmember Frazier, Class 3

Margaret Watson, Alternate #2

Lawrence Mango, Alternate #1

Thomas Kuruc

James Rizzo

Rick Gooding

Joseph Sommer

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

To the Board of Health:

Susan Reyes

Kim Fecanin

Alan Talarski

Matt Ziemkiewicz to the unexpired term of Marion Smith

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

To the Local Assistance Board:

Alice McGovern

June Flippen

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

To the Downtown Partnership Board of Trustees:

Janelle Vaughan

Denise Ross

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Rick Gooding
Mayor McPherson

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

To the Civil Rights Commission:

Beatrice Goldberg

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

To the Teterboro Airport Committee:

Mayor McPherson

Paul Griffo

Confirmation moved by Councilmember Bartlett, seconded by Councilmember Matthews 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.

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

To the Municipal Alliance Committee:

Councilmember Richard Reyes

Capt. Thomas Farrell

Det. Michael Garner

Officer Al Anderson

Supt. Leslie Conlon

Jeff Dorn

Brian O=Keefe

Hazel Ralph

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Jean Beaudet
Shelly Ahmad
Mary Monohan
Peggy Letsche
Charlene Mariano
Ken Meister
David Teller

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

To the Office of Emergency Management:

Mayor McPherson
Fire Chief Mike Sartori
Police Chief Nienstedt
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
Susan Marticek
Councilmember Richard Reyes
Louise Ayala, Ambulance

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

To the Local Emergency Planning Committee:

Mayor McPherson
Police Chief Nienstedt
Councilmember President George Fecanin
Denise Ross
Leslie Conlon, BOE
Fr. Michael Kreder

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Joanne Merklingshaus, Leader
Brian O=Keefe, Health
Fire Chief Mike Sartori
Ken Snapp, NJ Transit
Kim Fecanin, Board of Health
Police Captain Egbert
Matt Ziemkiewicz, Dept. Coordinator

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

To Auxiliary Police and Church Traffic Guards:

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

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

Mayor McPherson said that she has the intention of expanding the Visioning Process Committee and would like to see the Historic Preservation Committee, Recreation Advisory Committee, Film and Arts Committee as well as the Board of Aesthetic Review, Youth Advisory, Economic Development, Felician College and the Recycling Committee become sub-committees of that larger advisory body.

To the Historic Preservation Committee:

Rod Leith
Bill Neumann, Chairperson
Paul Brooks
Helen Matthies
Lilian Murray
John Moe
Margaret Watson, Planning Board
Jean Willis
Rick Gooding, Planning Board Alt.
Bill Galloway

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

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To the Pedestrian Safety Taskforce:

Mike Moran

Tim Way

Carol Kowalski

Traffic Coordinator Off. Bill Gumbman

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

To the Vision Process Committee:

Ken Snap

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

Bill Neumann

Sadie Gattuso

Edward Ryan

Sue Chafin, Felician College

Timothy F. Stafford

Victor DeLucia

Dawn Tucker

Jane Fisher

Denise Ross

Christine Eustice

Lawrence Mango

Kathy Lander-Botti

Kirsten Sommer

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

To the Sub Committees mentioned, the Mayor asked anyone interested in serving to please contact her by her Borough Hall phone or by email through the Web Site address.

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President of the Council Councilmember Fecanin moved that all the items on the Consent Agenda be passed, seconded by Councilman 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 2005 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 2005; and

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

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

	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Mayor & Council	5,500	1,000
General Administration	54,500	1,000
Financial Administration	70,000	1,300
Borough Clerk	46,000	15,000
Computer Maintenance		20,000
Auditing and Accounting		5,000
Assessment of Taxes	25,000	2,000
Collection of Taxes	28,000	2,000
Legal Services & costs		55,000
Municipal Court	45,000	3,000
Engineering Services		15,000
Public Buildings & Grounds	115,000	25,000
Planning Board	600	4,000

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Board of Adjustment	600	2,500
Shade Tree	75,000	7,000
NJ Meadowlands Commission		40,000
Insurance:		
Workers Compensation		340,000
Group Insurance Plans		400,000
Other Insurance Premiums		10,000
Liability Insurance		305,000
Fire Safety Code	55,000.	3,000
Fire Department		40,000
Prosecutor	3,200	
Public Defender	600	
Police	1,000,000.	50,000
Construction Department	85,000	2,000
Office of Emergency Management		700
Police Dispatch 911		4,500
Roads	275,000	30,000
Garbage	170,000	15,000
Recycling	80,000	
Sewers	7,000	3,000
BCUA Sewer		200,000
Passaic Valley Sewer		100,000
Dumping Fees		200,000
Rutherford Senior Citizens Center		12,000
Animal Control Services		5,000
Board of Health	85,000	4,000
Administration of Public Assistance	21,000	500
Recreation	50,000	5,000
Education Plan for Employees		3,000
Library	180,000	25,000
Utilities:		
Gasoline		20,000
Fuel Oil		7,500
Electricity & Gas		65,000
Telephone		40,000
Street Lighting		45,000
Water		6,000
Debt Service:		
Interest on Bonds		122,010
Green Trust Loan (Principal and Interest)		2,799

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Bergen County Improvement Authority:		
1997 Issue - Interest		13,281
1999 Issue - Interest		6,825
	Principal	63,000
2000 Issue		
	Series A Interest	7,152
	Series B Interest	19,979
Interest on Notes		135,000
FICA		135,000
Public Employees Retirement System		38,200
Consolidated Police & Fire Retirement System		182,000
Fire Widow's Pension		3,000
Capital Improvement Fund		100,000
Recycling Collection Costs		70,000
	TOTALS	\$2,477,000 \$3,038,246

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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 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
Current Acct. #409-00009-4
Checks signed Mayor, Clerk,
CFO, & Borough Administrator
(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

Borough of Rutherford

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

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
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)

Community Projects Account
Account #109-50276-0
Checks signed by Borough Admin.,
CFO & Boro Clerk, (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:

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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 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 2005 Petty Cash Funds:

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

*

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Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember 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.

*

Under the consent agenda, Councilmember Fecanin moved the following resolution, seconded by Councilmember Keyes 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.

*

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

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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 2005; 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 2005 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 2005 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, and

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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.

*

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.

*

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.

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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.

*

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 2005

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, 2005 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 2005.
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 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 Participation in the name of and on behalf of the Borough of Rutherford. 6

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.

*

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

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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 2005.

*

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.

*

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

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

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

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

*

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

RESOLVED: That bills in the amount of \$98,044.95 for Current Account bills, all as detailed on the attached sheets be passed for payment, warrants drawn and charged in the proper accounts. A complete list of these bills is on file with the Borough Clerk.

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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, Professional Insurance Associates, Inc. has been appointed the Borough=s Risk Consultant; and

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WHEREAS, an agreement is required by the Bylaws of the South Bergen Municipal Joint Insurance Fund,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and clerk are hereby authorized to execute such agreement.

* * *

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

* * *

Rev. Phil Latronica gave the benediction.

*

Councilmember Bartlett said that over the years he and Tom Arnold have had their differences of opinion but he recognized that Tom always acted in a manner that reflected his beliefs in what was in the best interests of the Borough. Councilmember Bartlett wished Tom Arnold well in his physical struggle and hope for complete recovery.

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As there was no further business to come before the meeting, Councilmember Fecanin moved the meeting be adjourned at 1:05 pm, seconded by Councilman Frazier and unanimously approved on roll call.

Borough Clerk