

**MINUTES OF A REGULAR MEETING OF THE  
MAYOR & COUNCIL  
HELD TUESDAY, FEBRUARY 24, 2009**

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The meeting was called to order by Mayor Hipp at 8:15 p.m. with the following Councilmembers present:

Councilwoman Keyes  
Councilman Genovesi  
Councilwoman Inguanti  
Councilman Sasso  
Councilwoman Birdsall  
Councilman DeSalvo

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

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The Borough Clerk read the provisions of the Open Public Meetings Law.

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**(From February 17<sup>th</sup> worksession:)** Mayor Hipp read the following Resolution:

**WHEREAS** the Open Public Meetings Act requires that a public body adopt a resolution at an open meeting before going into closed session to discuss a matter which excludes the public as permitted under the Act;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rutherford will hold a closed session meeting on Tuesday, February 17, 2009 at 11:35pm in the Committee of the Whole Room to discuss the following matters:

- Review of Closed Minutes from January 20, 2009
- Timothy Stafford

Councilwoman Inguanti made a motion, seconded by Councilman DeSalvo and unanimously approved on roll call.

**(From February 24<sup>th</sup> meeting:)** Mayor Hipp read the following Resolution:

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**WHEREAS** the Open Public Meetings Act requires that a public body adopt a resolution at an open meeting before going into closed session to discuss a matter which excludes the public as permitted under the Act;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rutherford will hold a closed session meeting on Tuesday, February 24, 2009 at 6:00 pm in the Committee of the Whole Room to discuss the following matters:

- Interviews of the Borough Attorney
- Municipal Court Candidates
- Filling vacant position in Borough Administrator's office

Councilwoman Birdsall made a motion, seconded by Councilman DeSalvo and unanimously approved on roll call.

The meeting re-convened to open session at 8:15 pm

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Mayor Hipp announced to the Council that there was an item on the agenda that was not put on the agenda concerning a resolution authorizing the payment of the Fiesta for the Firemen's Ball, and he asked for consent of the Council to add that; Council consented.

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Councilman Sasso asked if he could add under the Recreation Agenda a discussion of the 4<sup>th</sup> of July fireworks, whether the town is going to have them or not and maybe go out for a tentative bid if it were to be held and an optimal date since the timeframe with those vendors are time sensitive. Mayor Hipp asked for consent of the Council; Council consented.

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Mayor Hipp opened the hearing of citizens.

Bonnie Corcoran, 390 Montross Avenue said that she had the pleasure of meeting with CFO Cortright on Monday in regards to the planning of the 2009 budget and she thanked him for his time. Ms. Corcoran said it takes a lot of work to put the budget together especially in the hard times, what she was shell shocked at was the fact that it was going up amazingly horrifying double-digit increase proposal. She said he was hoping they were going to start discussing the budget soon because one of the assumptions to try to keep the budget down was mentioned in that as making once-a-week garbage pickup starting March 1. Ms. Corcoran said what was also assumed was they were going to get the Encap tax back tax liens and she stood there on Sept. 30 and said if they put the tax liens in the budget and they don't sell, they were going to be hurting next year, well they didn't sell and they ended up with a deficit, now they are anticipating them and adding

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them to the budget again and they are going to end up with a harder budget and deficit. Ms. Corcoran said she really hopes it will be discussed sooner than next week because she was at the meeting last week and it was put on for discussion in the beginning of March and she would like to know who was on the Finance Committee that sent the letter and who saw the letter because she was told she had to OPRA the report which she did. She said apparently members of the Finance Committee also were told they would have to pay for information they need to help out and that is why she would like to know who was on the Finance Committee because she was also told they gave her the report, but she needed to be discrete because the Council just received it. She said she finds it appalling the Council just got it and she really hopes that they are looking at cutting the increase down significantly. Ms. Corcoran said to Councilwoman Inguanti, Mr. Maraziti's firm; the citizens were shocked last year when there was a resolution passed to move his fee from \$17,500 automatically up to \$75,000 and it was in the minutes that Councilman Genovesi stated the resolution was going to be capped at \$75,000 and if it went over the Council would look at it again to approve any additional amounts. She said to Councilman Genovesi that it went over and the ending amount was about \$83,000 almost \$10,000 over. She said those are run-away costs and if they are going to keep the taxes down, like they promised as they like to do in the political arena of getting elected, they need to keep an eye on the run-away costs. Ms. Corcoran said Timothy Stafford she again OPRA the Borough Attorney's redacted quarterly reports and she agreed with Councilwoman Birdsall, it was horrendous, it was a honey-do list, it didn't even tell them anything, she could understand why she was upset when she saw the reports because that was infuriating and it doesn't tell them anything. She said Tim Stafford in the papers it was said that they gave him money for his health benefits, yet in the redacted quarterly report from Lane it says it was severance pay; personally it was 14 months and if he took money he didn't get owed, get it back, if it means filing charges against him for theft then do it or fess up and tell them they made a mistake and they promised him money because she was sick and tired of hearing that Tim Stafford is on the closed session but then it got pushed off and doesn't get talked about. She said she had heard that from a Council person and another member of town hall and Councilman Sasso said on tape in the public forum and she was sorry to call him but it was said on tape and she wanted to know where the Stafford item is, end it. Ms. Corcoran said to the Mayor that he said they follow the by-laws, she got a copy and it says President of the Council shall preside over all work-sessions; when Councilwoman Keyes asked why she wasn't allowed to preside she made a little sarcastic remark, Democrat or woman but as a citizen she was asking why isn't their Council President presiding over the work-sessions like it states in their by-laws?

Councilwoman Birdsall said she agreed with Ms. Corcoran as she reviewed the budget that they just received as far as the assumptions and knows there has been a lot of hard work that had gone into it but she was hopeful that the next sessions that were scheduled, maybe there would be a forum for some brain storming and some innovative thinking to try to find some solutions to the problems. The Councilwoman said finances are on everyone's mind and its such a pressing issue that she believes it is imperative that they are able to have open communication and an open thought process and an open dialogue so that they could find some types of solutions and hopefully decrease the burden on the residents and taxpayers and she thanked her for her comments.

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Councilman Sasso said to Ms. Corcoran regarding the conversation she said he had on tape, it was more to make sure that obviously the issue comes to some type of closure and that is what he wanted to clarify for not only her but for everyone else in the audience because it was a closed session matter.

Councilwoman Keyes thanked Ms. Corcoran for her comments and said it is pretty much standard procedure about getting the documents from the CFO on the budget, they got them in their packets Friday night so they've have the documents and the meetings scheduled for next week. She said typically it always starts out high, goes down and hopefully it wills this year also, they don't have all the information to put into the budget and Councilwoman Inguanti will speak to that a little bit more. Councilwoman Keyes said regarding the by-laws, they are still the standing by-laws from 2008, they are putting together a by-law committee she understands and they will be addressed again.

Councilman Genovesi said to Ms. Corcoran regarding her statement, he believes if she goes back, he may be wrong and if he is wrong he owes her an apology, but he believes what she was referring to was more a question or a comment that he was stating, he didn't believe he was answering a question that she had asked him. He said he believes it was in the general discussion amongst the Council when they were discussing Maraziti's salary and he was saying as long as the document states that if the amount accumulates over that amount, he had to return to the Council. Councilman Genovesi said to the best of his recollection, that was the comment he made which was a little bit different than how she presented it up there. He said he will review it after the meeting with her and if he was wrong he will apologize to her but he kind of remembers that was the way it was.

Councilwoman Inguanti said the document that they got that Councilwoman Keyes referred to, said to the Mayor and Council from the Finance Committee and the Committee as she understood it presently constituted as herself, Councilwoman Keyes, Mr. Cortright, the Borough Administrator and the Mayor. She continued that she and Councilwoman Keyes had some input into some of the numbers but by and large at that point the budget has been in the control of the Borough Administrator and the CFO and one of the reasons it was important to her to ask the Mayor to schedule a special meeting for the budget was because she knew there was only so far that the CFO and Administrator could go in making decisions or assumptions and there is a point where the elected officials have to take over and make the hard decisions and vote on them. Councilwoman Inguanti said as was stated they have some very hard decisions to make, it is a work in progress and what is difficult is that there seems to be very little fixed point because there are numbers they haven't received from the State, last year there were numbers they introduced with and they changed two days later and they took away \$200,000 from the aid. She said she asked the CFO that day if the State was going to end up delaying budget adoption or introduction of the budget and he didn't think so. Councilwoman Inguanti said they were going to assumptions, they have to make because they don't have the numbers and she fully appreciates the concerns about Encap tax lien, they were promised \$400,000, it hadn't come, the State hasn't helped and she is angry about it. She said to the point of Mr. Maraziti she wanted to clarify when they were brought in to represent the Borough for Encap and related matters, one of the things that she was very cognizant of was that they

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were embroiled in Encap, it was a mess then and it has been a very difficult process they are facing; a potential difficult legal battle with a very aggressive developer whose initials are DT, and her concern was they needed to have someone very familiar with the workings of New Jersey. Councilwoman Inguanti said Encap is pretty political and they need someone a friend in court and it was her personal feeling that Joe Maraziti could do that. She said he represented North Arlington so he was familiar with a lot of the issues and players involved and the other hope she had was there was going to be an escrow fund established that DT would be funding and that would help cover Mr. Maraziti's legal bills and any engineering bills and it didn't happen as they voided the contract and went into bankruptcy. Councilwoman Inguanti said subsequent to that their firm has helped them with other redevelopment issues down in the Meadowlands and she can assure them that his services have been very helpful to the Borough as they are dealing with very difficult issues in COAH, very aggressive developers, very blue chip law firms on the other side but she said going into that year she personally wants to get a better handle on some of the special Council issues and just have a little more clear understanding and the Council is fully brought on board in the decisions. Councilwoman Inguanti said she is aware of the concerns and she shares them, so they will have a better handle on it this year and his fees are high but they are dealing with extraordinary issues, COAH, municipalities are being forced to contend with in a very compress timeframe and it is very hard for them to manage it from a legal standpoint.

Councilman DeSalvo said the only issue is the Tim Stafford issue and he would like to see it come to a head and find out the actual facts as to what happened and finally get to close that matter.

Frank Wilson, 171 Montross Avenue said to Councilman Sasso who is the liaison to the Rec. Department he was asking the questions as a member of the Finance Committee because he got a copy of the Board of Health report for the Field House and looking at it what is the cost to have it back up to where it should be where it is habitable. Mr. Wilson asked what is going to be the cost to maintain it and whose responsibility was because both Councilmen DeSalvo and Sasso are coaches they probably have been in there and seen it more than he, but how did they let it get to the point that it is that bad of shape; who is ultimately responsible so that it doesn't happen again? He asked if Councilman Sasso could find out the cost to get the place back up again.

Councilman Sasso said he and Councilman DeSalvo had walked the building Saturday to see it first hand, it is actually an issue that crosses buildings and grounds and maybe recreation dept. He said he couldn't speak what happened 4-5 years ago and to be honest people have to take pride in the work they do and whether that is the gentlemen sitting in that building who takes care of the grass or inside the building or whatever kind of employee in the Borough that takes care of whatever job function, people have to realize the unemployment rate is almost 8% nationally, people have to take pride in what they do and if they don't maybe it is time they move onto a different career. Councilman Sasso said some of the things that were wrong with the building as it is a solid structure and see what had transpired in that building is their blame; there is probably blame to people who take care of the building but there is also blame to the organizations that use the building, whoever used the locker rooms because they are the ones who may have left

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it a pig-sty and those people should be accountable. Councilman Sasso said that was addressed with the Athletic Superintendent Mr. Frazier because obviously the high school uses it as well as other organizations. He said it is not just the kids it is some of the adults; from the week that it was visited by John Uhl and Brian O'Keefe there were repairs done to the building, it was freshly painted in the locker room areas, cleaned out of a lot of stuff from the previous season or two; one of the things they spoke about was an air conditioner which was removed from one of the side walls and what they did was they left a hole; if that was anyone's house they would close up the hole because of what weather damage could do. Councilman Sasso said the person that made the hole should have had the common courtesy to fix the hole because that is what anyone would do to their house. He said Denise Brennan had asked to meet with Mr. Uhl and Mr. O'Keefe, and Council Liaison's from Building and Grounds and Recreation have been made aware of the situation down there but it is not solely a recreation item.

Councilwoman Inguanti said to Mr. Wilson that there was a line item in the budget approximately \$150,000 set aside in the capital budget for the repairs to buildings and grounds which are standard every year. She said though she didn't go on the tour, she did understand that there are issues with the bathrooms, there is some money there for repairs. Councilwoman Inguanti said the issue of monitoring that location either through a police patrol or cameras because as Councilman Sasso was alluding to it is not just falling into disrepair, it is being pushed into disrepair by people not being respectful of the property. She said in improving it they also need to make sure it is maintained and sustained and making sure they have adequate funds going into the rec. programs to do that without impacting the general taxpayer.

Councilman DeSalvo said prior to any complaints by any citizens they were well aware of the situation within the last couple of weeks; he was in the building about a year ago and not before that for about 20 years since he played football down there. He said it is a situation that was going on for years with the maintenance of the building and they definitely have to work on that but as Councilwoman Birdsall is Buildings and Public Utilities he wanted to have her aware of the situation as well as Councilman Sasso. Councilman DeSalvo said they went down there a couple of times within the past weeks to start some kind of process of how they were going to start maintaining and fixing and as of then there was nothing set in stone.

Councilwoman Birdsall said she went down for a tour and whose responsibility it is, potentially it is everyone in Rutherford though there are major issues down there she is confident they will be able to come up with a plan to make sure it is acceptable for use.

Arie Moller, 80 Montross Avenue said there was a discussion about an ordinance for preserving historic homes and he thought it was a fantastic idea and it kind of went away and he was wondering where that was at that point. Mr. Moller said he saw there was some green acreage that they are taking away some land and they are going to get some money for that and they need to come up with some more green space in the town and as a suggestion there is a house on the corner of Washington by the train station that basically looks bombed out, it has been boarded up for about a year. He said as an idea maybe that could be taken over and made into a community garden because there is no

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way that house could be rehab. Mr. Moller said in terms of finance, he keeps hearing think about the Borough as a \$25 million corporation and he agrees, but so should the Board of Education be looked at as a corporation and in his experience in the corporate world which is a \$250 million corporation they let 12 people go, they had a freeze on raises and they are paying 6% more into their health care then they were paying for before. Mr. Moller said in his corporation if they don't do those things they would go out of business, the Borough is not going to go out of business, declare bankruptcy so what happens is that the taxes go up. He said he hopes that the Council starts really looking at the Borough as a corporate entity that they are all a part of.

Councilwoman Keyes said in regards to the historic preservation and the demolition ordinance, that draft was prepared, reviewed somewhat by the Committee and it really didn't get any further. She said as she sat on the Committee last year, they know it is not a Commission and there were a few other things they were dealing with but she believed it did sit back with the Borough Attorney for further review. Councilwoman Keyes said they anticipate that Councilwoman Birdsall who is on that Committee this year will take up the reigns and work with another Attorney and go forward with it.

The Borough Attorney said what happened was Councilwoman Keyes might recall, was that they were scheduled to meet with the Preservation Group, that did not take place. He said he made himself available but as she said they had a number of other things on their plate and also one of the leaders of the group the historian didn't want to go in that direction and it seemed to be the consensus, at least preliminarily of the group and so that is why it stalled. The Borough Attorney said the group that is responsible that really takes the initiative, they wanted to put it on hold and also they reached out to Montclair and it wasn't working well in Montclair and that was in part what they modeled the ordinance on so it was a wait and see rather than stumble onto something they thought would work, wasn't working in one of the communities that's a model like Montclair. He said so the best thing to do was to be prudent, so that was what happened.

Councilman DeSalvo said in regards to the house on Washington, he just noticed about a week ago they started gutting the place out and probably trying to restore. He said there was a fire there back about a year ago, he noticed a contractors sign in front of the place and they got their permits so if that was the house he was referring to they are moving along with that now.

Joseph McAllister, 194 Mountain Way said he recently heard about the proposed tax increase and it motivated him to attend the meeting. He said in 2006, 2007 they saw municipal taxes go up a combined 33%, last year 5% and the current year the initial number being thrown around is 10% on the municipal side and 5% possibly on the school side. Mr. McAllister said to say it is an unbearable burden to the majority of people that live on his block and probably the majority of people in town to absorb over a 50% in a four year period and as he sat and listened to Councilwoman Inguanti initially talk about the State; the State finds itself in a dilemma when the budgets have an income and expense side. He said when they look at revenue and last year projections for income that many believed weren't going to manifest and that became true and yet the same methodology is being applied to the current budget; maybe they should say that isn't

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going to work. Mr. McAllister said in the news they hear the Governor say possibly and probably no rebates which is a very unpopular decision but probably necessary. He said that drives to his point of the expense side of things; they want an honest and open public forum the question he has is directed to Mayor Hipp. He said he sat in the meetings at least six different times where the question of Stafford had been addressed to the Mayor, Ms. Corcoran and himself it is the fourth time he was asking, Ms. Dyson and other public have asked the question; when they look at the 10% proposed budget increases and say that is where it is growing and if he thinks that \$8,500 to Stafford and those increases are not intimately related they are. Mr. McAllister said they are the same kind of plague that the Country is going through and consistently the answer he received and others received is either it is a closed session which doesn't sit well because he is up there for accountability to the residents and the last time he asked the question was in June of 2008 and he said to him to please be patient they are conducting an investigation. He said to the Mayor that the 911 Commission concluded in less time; Mr. Cortright was sitting in there and all they had to say was "Ed who told you to write a check for \$8,500" because he sat in the Council Meeting where the Mayor proposed to the Council lets make the disbursement to outgoing Stafford and it was declined. Mr. McAllister said since it was a no, that action required Council approval so somehow that check was disbursed; he asked if the Borough is being run that loosely and can he go into Mr. Cortright's office the next day and ask for \$9,000 and he will just write a check? He said when he scratches his head he says at best, they have that single act hints of either malfeasants or embezzlement and he thinks the only things that discerns the two is how good of a lawyer they have to help define which that is. Mr. McAllister said he believes the residents are due an answer and it is not the old boy network of it's a matter of personnel, or its closed session, the public is due a response and respect of what is being done with their tax money. He said they are the guardians of their money, they don't give it to them, they are supposed to be the guardians why was it handled that way, they are due an answer.

Mayor Hipp said the question was directed at him he was going to take the liberty of answering first; he is constrained to some extent because it is still in closed session but he will say it publicly that it remains his position two things that it needs resolution and he will urge the Council to act and what the Council does is up to the Council. Mayor Hipp said when he took office last year and he said it on the record on more than one occasion, in fact two, his own view was with respect to the so-called settlement of \$8,000 he had been involved in discussions with Mr. Stafford prior to being sworn in, it was his view and his opinion that instead of him receiving three months of severance of salary and benefits he recommended that he be given the \$8,000 which he was going to use to pay his insurance under COBRA. Mayor Hipp said he believed that in fact that money was used for that purpose, beyond that he can not comment and he hopes there will be a resolution sooner rather than later but unfortunately he doesn't vote, he can't make a motion and no motion has been made and it was on the topic for that night and they will go back into closed session.

Councilman Sasso said he wanted to make sure that the Mayor just stated that, he almost eluded to that there were two different options and it is his opinion that Mr. Stafford resigned he was not dismissed due to any other kind of reason and there are two distinctions in the corporate world, types of actions. He said if they resign there is a

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certain set of rules of engagement, boundaries that they go by; if they get dismissed for performance or whatever, reduction there is a separate set of actions and a separate set of outcomes.

Councilwoman Inguanti said one of the concerns that she had last year was about things being codified properly and memorialized properly and that is why in the middle of February they introduced an ordinance and it passed in March to make sure that moving forward that any time an employee separates from the Borough for whatever reason, that any disbursements of money are separated out from the voucher list. She said because there are so many entries it becomes difficult to pull out things that are out of the ordinary, they have instituted some procedures to make it a little clearer by ordinance. Councilwoman Inguanti said they can no longer put a significant payout in a regular line item of employee payroll, it has to be brought to the Council prior as well as all the supporting documents prior to that disbursement being made. She said one of the difficulties in that particular situation was that Mr. Stafford was the Administrator so he was the boss, so that was an issue that was problematic as that situation resolved itself so procedures are in place to prevent that from happening in the future.

Pat Kinzler, 105 Vreeland Avenue said a couple of months ago he prepared a spreadsheet of medical insurance cost, not to be confused with property and casualty, and at that time he shared kind of private information as the firm he works at in October had its first round of layoffs and in January they had their second. Mr. Kinzler said that week they took the remaining staff and put a significant percentage of them on a four day work week which means a 20% cut in pay and all the other employees including himself a 10% cut in pay. He said his spreadsheet on insurance cost, he compared the Borough's plan to his company's plan in anticipation that some people would say it's not fair to compare a Borough to a private company plan, he also compared it to the Board of Ed plan. Mr. Kinzler asked that the Board of Ed be given the opportunity to present to them how they went about doing their medical insurance so that they could learn how they were able to accomplish insuring employees at a far lower cost than the Borough can. He said he didn't know what became of his request to have the Board of Ed present but he did hear that someone on the Council say it was going to take five years to turn the town around. Mr. Kinzler said he remembers when he was young going to the library and reading about the Soviet Union as it was run on five year plans, the Soviet Union no longer exists. He said they don't have five years, he knows they are going through a budget process where initially there will be numbers put out that cause great fears and alarm and their goal will be to work it down but he thinks they would get comfort if they heard people say right up front, they will not have an increase beyond "X" rather than take them through a torturous process and causing them to fill that room. Mr. Kinzler said why don't they go out now and say they know it will be a tough process but when they are done they assure them the increase will not be more than "X".

Councilwoman Birdsall said she appreciates Mr. Kinzler's comments and she takes the financial situation incredibly seriously and she remembers hearing him say he wasn't feeling it from the Council and she agrees with them that sitting up there it doesn't feel like anything's up there. She said she doesn't want to pay another dime in taxes, she lives in the Borough and she thinks they should have a zero% tax increase, she doesn't know

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how realistic that is but she will do her damndest to try to get some discussion going. Councilwoman Birdsall said she believes all the members of the Council feel that way, unfortunately they get stuck in situations where there is some direction where they're not allowed to speak to certain people, the process has to continue a certain way and her opinion is they are in a different world and whatever has to happen in order to get them as close to zero has to happen. She said she would love to see an open discussion to see what they could get to stick because there has to be ways they could generate some sort of revenue for the Borough and it's not going to happen by approaching the budget every way it has been done in the past. Councilwoman Birdsall said they need to have new ways of thinking, open dynamic honest conversation between the Mayor, Council, Citizens, Administrator, CFO and they need to get a spark going and they need to have some energy going so that they could facilitate something that is reasonable. She said 10% is ridiculous, people are getting laid off, cutting back on purchasing food and they are going to say another 10% hit. Councilwoman Birdsall said they have been put in a situation where they are able to speak freely and that those forums can accrue and they could get some action going but she is very optimistic and she welcomes any comments from the public on new innovative ideas and ways they could approach it.

Councilwoman Inguanti said she appreciates Mr. Kinzler's passion; her husband's income is down 18% and 2009 isn't off to a banner start so she truly understands and lives in the same mall that everyone else does. She said what is very hard about picking a number they truly need the numbers by the State and they haven't been given them and the forms for extraordinary aid aren't even on the website which they don't know why. Councilwoman Inguanti said one of the difficulties she has as an elected official is that she thinks it is unconscionable about how much money is taken from the taxpayers in all sorts of taxes and fees and they never see that money again. She said Rutherford's taxes are not high because of Rutherford expenses it's because they are paying for Newark, Passaic, Paterson, Camden and all the slush funds, trust accounts and whatever names they call them down in Trenton. Councilwoman Inguanti said their tax base is eroding, development has stopped that is good development but people still expect their garbage to be picked up and their streets clean, fields clean and they have to pay people to do that. She said she doesn't know what the Borough employees are prepared to do but she assured them that is a question that will get raised because everything has to be on the table and the Citizen Finance Group did meet and they are tasking them with looking into some of the insurance issues that were brought up. She said it is difficult with unions, government was never intended to be unionized because they are not in a collective bargaining situation with a profit making entity, it's the taxpayers that have to get hit every time or they have to come up with alternative revenue sources and they just don't have any. Councilwoman Inguanti said they have gotten so out of whack in the State and it has trickled down to the municipalities, the decision and the things they are obligated to do and she doesn't see it getting better.

Councilman Genovesi said to Mr. Kinzler it was he that had the conversation with him regarding the number of years and it was a private conversation and he remembers perhaps someone else did, but he knows that he had said that to Mr. Kinzler after a meeting and what he was referring to and everything Mr. Kinzler's says he agrees with 100% but what he was saying about the five years was that it will take that long to cycle

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through the contracts with the Unions that they have. Councilman Genovesi said they have on now with the PBA and as they go they could work on trying to implement some changes in the health insurance as those contracts are cycled through. Councilman Genovesi said he does agree with him and he feels for him with his 10% cut in pay, he is bringing in about 30-40% less every month, he is a commissioned employee, he is not a union protected employee, not a salaried employed and basically he does work for a large corporation which says take it or leave it. He said he has no choice so he makes due and he wishes he had the money he was bringing in before but to be honest the fact is he doesn't and he's not afforded Ms. Corcoran the ability to be protected by a union. The Councilman said the insurance, he would love to learn more as he had expressed before, he doesn't have all the answers about ordinance and resolution and he admits that the insurance plan he would like to learn more about it and if they had time to sit down and go over it and he would appreciate any time they would be willing to give up to that.

Susan Muller, 29 Feronia Way asked who was the liaison to the Board of Education and her comment was in regards to the block house, which she thinks is the one with the bathrooms right by the parking lot. Ms. Muller said last year they had the Youth Advisory Council had their Block-A-Blooza which the Mayor attended and she made a comment to a couple of people about that facility last August and it was absolutely appalling. She said everything that everyone had mentioned and it is already February and now it is being brought up and she thinks the frustration comes from the residents that questions and comments have been shared among all the people in the audience and they are the same things over and over again but they are into the new year two months and they are still asking the hard questions and not getting answers and they want answers. Ms. Muller said like what is the tax increase going to be and she knows that as she works for a large corporation their budgets were completely cut in half and she is working on a meeting and her budget has been cut and she had to negotiate and she is working very hard to keep within her budgets because her boss wants her to do that. She said they are asking the Council do the same, she knows they all are and for Councilwoman Keyes she knows the Council is working together, Mayor respectfully she asked of him as she had heard the tapes and she asks him to please be open-minded at the Council session and work-sessions. Ms. Muller said she shared with him the night he was elected something personal, a relative of hers and he respected him very highly and she said it with all respect to him, she respects that man and she wanted to feel the same way about the Mayor and she doesn't. She said she was very sorry but she didn't and she said it from the bottom of her heart and she knows she gets emotional but she had lived in the town her whole life, her mother was raised here and she doesn't want to leave the town and leave her knowing what is happening. Ms. Muller said the things that she hears on the tapes are horrible and when they go to any other town in the area, they are ashamed to live in Rutherford and she wants to feel the same way she felt when she was younger and that is why she moved back to the town but she doesn't feel that way anymore. She asked the Mayor to be open-minded and work with the Council, she knows that it was a hard, difficult year, she knows the Council is working together, she applauds Councilwoman Birdsall as she felt the energy from her and she is glad she was elected; Councilman DeSalvo she is glad he was elected also and she hopes the energy continues. Ms. Muller said what Ms. Corcoran shared and she didn't know all the details but \$9,000 over a cap of \$75,000; what happened and who is watching that? She said she has to

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watch her budget and that is a no-brainer, Mr. Cortright flags need to be raised when they are hitting cap and then they have to find out what was happening they need to negotiate. Ms. Muller said it is a lot of work but they need to look at it.

Bonnie Corcoran, 390 Montross Avenue said that a resident had asked that she bring up a point that last year it was touched upon but nothing happened regarding Rails to Trails Program and when Councilman DeSalvo was talking about the Shade Tree Commission taking a parcel of land right next to the Rail to Trails property on Jackson and Erie. Ms. Corcoran was wondering where they stood with that, they were suppose to co-work with East Rutherford, they have a grant. Ms. Corcoran said to Councilman Genovesi that maybe she misheard him but he implied that she was a union worker, she is not nor is her husband, she had been self-employed her whole life and is currently a stay at home mom. Councilman Genovesi said he didn't say that about her, he didn't imply that at all he was responding to her question. Mayor Hipp stated that Ms. Corcoran had the microphone. Ms. Corcoran said it wasn't even her question but she will listen to the tapes, her husband is self-employed up and till the time he went to work for his current employer and his current employer had come down and said they are taking cuts, everybody and she was pretty sure everyone in the audience is taken cuts. She said she didn't mean to make it personal but taxpayers are taking double cuts because not only is their income taking cuts but they are paying higher in taxes and she knows he is not a property owner, she checked that out. Ms. Corcoran said she is a taxpayer, she could say that because she pays property taxes into the town, her property taxes pay their stipends, pay Lane's salary which she was a little floored at, it pays for the DPW, pays for everybody else. She said technically the taxpayer's are their employers, they are the employees of the taxpayer's and she knows most of the Council could say they are also taxpayer's but Councilman Genovesi she checked property records, he technically doesn't own property in Rutherford. Ms. Corcoran said he lives in Rutherford and it is nothing to be ashamed about, she lived with her parents until 10 years ago that is not a problem but they are property taxpayers, they are getting hit left and right, she can not afford the town that she fell in love with 13 years ago and it is getting really tight that she might have to pull her kids out and move out of the town that she had came to love and her kids want to stay in. Ms. Corcoran said they might have to find somewhere cheaper to live so she could survive.

Councilman Genovesi said he agreed with everything Ms. Corcoran said, when he said her name it was because he was pointing out a bit of information that he felt she translated in her original line of questioning. The Councilman said regarding her last statement, he agrees with her as his family has been here 30 years, he has been here his whole life, he agrees with her. He asked if there was something she was looking for as he rented property in the town, because he doesn't have the means to purchase something himself does not mean that he cares about the town any less than her. Councilman Genovesi said he does appreciate her comments and when he said her name it was because he thought he was answering one of her questions from her original statement and she seemed to have directed the rest of the line of questioning at him. He said he hoped he hadn't offended her as he was trying to answer one of her original questions but regarding what she said, he agrees with her and he thinks everyone loves the town and he is not ashamed of being a Rutherfordian which has been basically his whole life, he has been a bulldog and he has a lot of pride for the town and he thinks it shows.

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Councilman Sasso said to Ms. Corcoran like he had said earlier to Mr. Wilson and for Susan to that they found out who takes care of the bathrooms at the field house and it is actually someone in the building at the field house who is rents the apartment which includes the bathrooms and the lights. He asked if that was the right agreement that the town wants to get into but it goes back to people having to care about what and how they do their jobs. Councilman Sasso said it shouldn't take the Council to go down the park with their kids and they see that they haven't picked up the leaves and meanwhile everybody had to pick up their leaves in the fall before the winter came. He said people have to care and if they have a job today, one of the things that people say as an employer is that they should be thankful for a job, he sometimes disagrees with that because yes they are happy to have a job but they are also a good employee because the reason he has a job is because he is a good employee and maybe there should be more accountability by Dept. Heads, Borough Administrator where if someone is not performing their duties they have a discussion, the second time they get an email as they discussed, the times after are kind of like a final warning and subsequently therefore maybe they can't perform the duties that they've been asked to do and then something happens to that person. He said he thinks that people collectively working at the fields or whatever organization whether it be Borough Hall they have to care about what they do and care about it 110% because that is what they are paid to do and if they don't want to do there are plenty of people at the unemployment office or down the street. Councilman Sasso said there are a lot of for sale signs because people have gotten fed up with what is going on and they can't afford to live here and it is a sad state that they have to say someone can't afford to live here.

Councilwoman Birdsall said she thinks accountability is really important and they need to make it the best it can be and she thinks they do incredibly well in Rutherford and things that they could do much better. She said right now in the midst of the financial crisis there are critical issues such as the budget and the appointment of the Borough Attorney and all the game playing needs to stop so that they could go back to the business of the Borough. Councilwoman Birdsall said the Governing Body needs to show leadership but the members of the community also need to show leadership and they need to be in a position that they could all harness the energy that they have in the community. She said the amount of volunteers in Rutherford is outstanding, she would challenge any other community to equal that such as the Kip Center, there is a lot of good.

Frank Wilson, 171 Montross Avenue said he appreciates the quick response to his question; the one question he had was if they don't have a liaison are they prepared to appoint one to the Board of Ed. He said Councilwoman Keyes was the liaison at one time, but if they don't have one then are they prepared to appoint one that night or the next meeting because they need more than just the citizens help with the Board of Ed. Mr. Wilson said they have to make them understand that 5% is unacceptable as with people talking about the budget which totally out of line.

As no further citizens wished to speak Mayor Hipp closed the hearing to the citizens.

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Mayor Hipp said to Mr. Wilson with respect to the Board of Ed liaison that will be made that evening along with the remaining assignments. Mayor Hipp said with respect to the budget the Governing Body was going to be meeting starting the following week in earnest with dealing with the options that are available, dealing with the assumptions that were made and they will be making some very difficult choices between then and March 12 when the budget is introduced for adoption. The Mayor said at all stages there will be public input and that is part of the process; when they took office last year and took a first look at the increase it had a tax increase of 13.5% and they were able to work through and introduce the budget which was at about 6.8% during the course of the year because the Council had voted to apply for extraordinary aid they were not required to submit a final budget until after the award was made. Mayor Hipp said that would be basically August, September timeframe and during that period of time they were able to refine the budget even further and he urged the Council to make an application for extraordinary aid so that when they introduce the budget on the 12<sup>th</sup> it will have to be without the extraordinary aid numbers but they will apply for so final adoption of the budget will not take place until the summer. Mayor Hipp asked the Council to issue estimated tax payments and he would ask the Council to do a series of other things with respect to looking how they could generate more revenue and he was sure those discussion will go to fruition and it is their goal to introduce a budget within the Cap limits and work to reduce it even further. The Mayor said for the tax levy cap it is 4%, for the expense cap it is 2.5 or 3.5% depending on whether or not they could use their cap bank; the budget documents that were provided to the public and members of the Council is a working document. Mayor Hipp said some of the assumptions that were made there, the Council may not accept; for example the State provides utilities and CONTRA aid-after they introduced the budget last year the State reduced that revenue line item by \$200,000; this year they have assumed that they will reduce it by another \$200,000 they could be wrong and they could get the money but for purposes of planning they have assumed that and that will be part of the discussion. Mayor Hipp said there are other items of discussion that will take place and he wanted to emphasis the document that was prepared is for guidance and discussion purposes only it was not the introduced budget not was it intended to be, between then and budget adoption there will be more discussions as to how to reduce the budget expenses and increase even further. Mayor Hipp invited all to attend the meetings because an important part of the process is public awareness and attendance and as he said on January 1 it was not only what they do but how they do it and what they have to do is do it in public not in private, not behind closed doors so that the public is aware and it may not be pleasant, they are going to be aware of things that may cause distress and anger but he assured them that everyone sitting on the dais had the same feelings. Mayor Hipp said all of them are distress and losing money to and it had been a difficult process brought by circumstances that are nation wide and he had said it publicly, he said it publicly last year they are in for a dire situation they may have to take dire action in order to accomplish the goals they had set for themselves or at least that he is asking the Council to achieve. Mayor Hipp said that was going to be part of the process, it was going to be done openly and with public input and it will all be done initially by March 12 and it will continue throughout the course of the year if the Council approved the application to apply for extraordinary aid. The Mayor said as he said before because it is a process and moving targets, they can not tell them what that final document was going to look like, they have to vote on certain things and that will take place during the next couple of

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weeks, they want and need public input but he assured them that they were not proposing a 10% tax increase that was not the purpose of the document given to the public, it was simply a guide and the Council members will have the opportunity to look at what is contained there and what had to be done in order to get where they need to go.

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Council President Keyes 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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Council President Keyes moved approval of the Minutes of the Special Meeting of January 14, 2009 and Regular Meeting of January 27, 2009, seconded by Councilwoman Birdsall and unanimously approved on roll call.

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Council President Keyes moved approval of the Minutes of the Closed Meeting of January 20, 2009, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Mayor Hipp asked Councilwoman Inguanti for the Finance report.

**2/17** Under the Consent Agenda, Councilwoman Inguanti moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

**RESOLVED:** That the following warrants be issued in the amount indicated for the purposes stated:

1. In the amount of \$745.00 payable to Patrick Tully – payment for reimbursement for indoor soccer.
2. In the amount of \$1,490.00 payable to John Centurion – payment for reimbursement for indoor soccer.
3. In the amount of \$75.00 payable to Diane Biancamano – payment for reimbursement for indoor soccer.
4. In the amount of \$75.00 payable to Mary Cairns – payment for reimbursement for indoor soccer.
5. In the amount of \$75.00 payable to Patricia Derner – payment for reimbursement for indoor soccer.
6. In the amount of \$75.00 payable to Diane Engler – payment for reimbursement for indoor soccer.

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7. In the amount of \$75.00 payable to Lisa Gardner – payment for reimbursement for indoor soccer.
8. In the amount of \$75.00 payable to Bob Jennerich – payment for reimbursement for indoor soccer.
9. In the amount of \$75.00 payable to Rich Maciag – payment for reimbursement for indoor soccer.
10. In the amount of \$75.00 payable to Kristina Canales – payment for reimbursement for indoor soccer.
11. In the amount of \$75.00 payable to Laura Raith – payment for reimbursement for indoor soccer.
12. In the amount of \$75.00 payable to Joseph Shymko – payment for reimbursement for indoor soccer.
13. In the amount of \$75.00 payable to Gina Tsiolas – payment for reimbursement for indoor soccer.
14. In the amount of \$35.00 payable to Barbara Bagnuolo – payment for refund for basketball.
15. In the amount of \$45.00 payable to Giovanna Xavier – payment for refund for indoor soccer.
16. In the amount of \$325.00 payable to Wayne PAL – payment for travel basketball tournament.
17. In the amount of \$75.00 payable to Ronald Williamson – payment for refund for Exceptional Individual program.
18. In the amount of \$100.00 payable to Denise Brennan – payment for prizes for flashlight egg hunt.

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**2/17** Under the Consent Agenda, Councilwoman Inguanti moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

**RESOLVED:** That bills in the amount of \$1,203,779.30 from the Current Account, all as detailed as follows on the attached sheets, be passed for payment, warrants drawn and charged to the proper accounts. A complete list of these bills is on file with the Borough Clerk.

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Councilwoman Inguanti said she had a resolution for additional vouchers, she reviewed them and they had the CFO's stamp. Councilwoman Inguanti moved the following Resolution for payment, seconded by Councilwoman Keyes.

Councilwoman Birdsall requested clarification for the Resolution.

The CFO said one of the bills that was pull was for a bill from Stingers for the Recreation Dept and the explanation is that they ran a cooking class program. The CFO said there was another voucher that Councilman DeSalvo had questioned from Boswell Engineering that related to about \$6,000 for work that was done on the design of Wall Field and they reviewed it but an agreement for the future they asked the engineer be

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advised and directed to present the plans in a form of a less expensive sketch so they don't get hit with a \$6,000 bill for something that could be done by way of a cheaper sketch. He said with that he asked for a motion for approval.

Councilwoman Birdsall said under Boswell she thought there was another bill pulled. The Borough Administrator said he believed that was for work that the Borough Engineer did as a third party to review the installation of HVAC equipment in the Library. The CFO said that it was done at the bequest of the Library Director.

There was discussion of another bill from Boswell and it was agreed to hold these bills until further review.

Councilwoman Inguanti said it was in the voucher list and she had asked Ed to remove it since it was a discretionary item she didn't want to start on a payment schedule based on an assumption that was really the Council's decision how much they budget for that contribution. She said she hadn't talked to the people at the Kip Center it was going to be subject to Council discussion. Mayor Hipp asked if any member of the Council wished to rescind that Resolution. Councilwoman Keyes asked if the \$12,500 was it the Borough's contribution to the Kip Center. Councilwoman Inguanti said yes it is part of \$50,000 they give to the Center, it was one of the discretionary items the Council has in its control; she was not opposed to the Kip Center please get that right she was just trying to show courtesy to the Council as this was a point of discussion. Mayor Hipp said the budget for 2009 is a point of discussion, was that it? Councilwoman Inguanti said yes that particular, there are a series of organizations that they contribute taxpayer money to and if there were places the cut that would be subject to cut so they need to discuss that. Mayor Hipp said as he understood it there was a previous resolution with the Council that did authorize the payment. Councilwoman Inguanti said it was simply in the voucher list. Mayor Hipp said the voucher list was approved, was that correct. Councilwoman Inguanti said that item was approved before, her memory was that they approved the voucher list on consent last week with certain items being removed. She said she removed that before that meeting. Mayor Hipp said then there is no resolution authorizing the payment so then he asked if they could keep in order because currently they had a motion pending to approve the bill list that was submitted and they have second and what he wanted to do was focus on that. The Mayor asked if there was any further discussion on that bill list. Councilwoman Inguanti said for clarification they are pulling back the one payment to Boswell from that bill list.

Mayor Hipp said as amended he asked for a motion to approve the bill list.

Councilwoman Birdsall made a motion to approve the bill list as amended, seconded by Councilman DeSalvo and unanimously approved on roll call.

Mayor Hipp asked the CFO to investigate what the purpose of the \$1,134 from Boswell was for.

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Mayor Hipp said with respect to the \$12,500 he asked for a motion.

Councilwoman Birdsall said the CFO mentioned if the contribution was changed that the request was to make those changes to the next payment. The CFO said as they know the following week they were going to be having special meetings of the Mayor and Council discussing the 2009 budget and if it was the Council's pleasure to reduce the amount that they give contributions to organizations, what could be done is the remaining three payments in the case of 55 Kip Center could be adjusted accordingly.

Councilwoman Birdsall said based on that statement, she made a motion to pay 55 Kip Center \$12,500, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Councilwoman Inguanti said for the payment of the bill to Cliffhanger Productions for repairs to the sound system; that was an issue that has been going on for awhile and she thinks there were Council people who had questions about it and they were going to look into the history on their own. She said it was from a 2007 the sound system repair, they were given an amended invoice detailing the repairs, she wanted to put it up for payment and asked for questions. Mayor Hipp said there was a resolution being offered by Councilwoman Inguanti to pay the Cliffhanger Prod. invoice.

Councilwoman Inguanti made a motion to pay the invoice for Cliffhanger, seconded by Councilwoman Keyes. Mayor Hipp opened the matter for discussion.

Councilman Genovesi said it continued to be his position that that invoice should not be paid and unfortunately that vendor continues to supply invoices with no invoice number, continues to have no paper trail as for Borough-issued purchase orders. He said that particular invoice dates back to November 2007 was even more troubling; at the last meeting he asked a series of relevant questions to which the CFO said they were very pertinent questions and he still had not received the answers from him. Councilman Genovesi said to Mr. Mayor, the invoices details work that was done on a sound system replacement of speakers and power cords, the relevant questions he had to the matter were who owns the equipment, who else was quoted for the repairs, if they were quoted where are the hardcopy of the quotes, who was operating the system, was it the vendors employees, if it was, is it their responsibility to fix something that a vendor damaged, if so where is the copy of the claim for the damages submitted to the Borough or vice-versa, where is the copy of the claim submitted by the Borough. Councilman Genovesi said is it equipment that the Borough owns that they sent out for repair or was it damaged at a specific function in town; there are a lot questions and just to receive an amended invoice, he doesn't think that is the proper procedure to do business; he was specific with the vendor for nearly two years, Mr. Mayor and under Mayor McPherson he pointed out the same things that there is a certain procedure and certain etiquette to business that was not being followed. Councilman Genovesi said he would really like to have the answers to those questions instead of just paying the bill.

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Councilwoman Birdsall asked do they have the sound system in the possession of the Borough and the work was done and it is functioning? Mayor Hipp said the last time it was used the answer is yes. Councilwoman Birdsall said so it works and they have it. Councilwoman Inguanti said it is located in the Recreation closet.

Councilman Sasso said that is correct and for most of 2007 he believed that equipment was not in possession of the Borough which he thinks to go to Councilman Genovesi's point if they were not in possession of the equipment why should they pay for repairs which maybe they didn't cause the damages to and that is a valid point.

Councilwoman Inguanti said maybe the former Superintendent of Recreation did had that person been asked what the trail was on that? The CFO said that work was done by Cliffhanger in the month of November, 2007, the bill appeared on this desk in February 2008 he didn't know who gave him the bill, he didn't know what it was for, no purchase order was issued for it, the Rec. Dept. claimed they had nothing to do with it, they didn't authorize the work, the Purchasing Agent didn't authorize the work neither did Ms. Capoano who approves some of the purchase orders and neither did he. The CFO said when they made inquiries they couldn't get any answers as to exactly why Cliffhanger had the sound system for as long as he did, who authorized him to fix it and that was as much as he knew. He said to remind all that bill still has not been paid.

Councilwoman Keyes asked the CFO that she thought she read somewhere that he did respond to Councilman Genovesi's questions, he might not of had documentation supporting the answers but that he did respond to them, she saw something in her packet. The CFO said he had written a response. Councilwoman Keyes acknowledged. Councilman Genovesi said he did not have a copy of that and asked if he could receive a copy. The CFO responded yes.

Mayor Hipp said his request of the Council was that they resolve that issue that night, it was a bill that was outstanding since 2007 and whether they approve the payment or whether they resolve not to pay it, he would appreciate that the Council has ample opportunity to think about it and he did except for the two new members as they had less time but he would like to get it resolved that evening so they could move forward.

Councilwoman Inguanti made a motion to approve the following Resolution, seconded by Councilwoman Keyes.

**RESOLVED,** that the following warrant be issued in the amount indicated for the purpose stated:

In the amount of \$1,154.90 payable to Cliffhanger Productions for the repair of the sound system.

The Borough Clerk read the roll call: Councilwoman Keyes, Councilwoman Birdsall voted aye, Councilman Genovesi, Councilwoman Inguanti, Councilman Sasso, Councilman DeSalvo voted nay. Motion was defeated.

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Mayor Hipp said to the Council that he did have to have some positive results so those who voted no please make a motion that states affirmatively that the Council does not wish to pay the bill.

Councilman Genovesi made a motion to reject the payment of the bill, seconded by Councilwoman Inguanti. The Borough Clerk read the roll call: Councilman Genovesi, Councilwoman Inguanti, Councilman Sasso, Councilman DeSalvo voted aye; Councilwoman Keyes, Councilwoman Birdsall voted nay. Motion carried.

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Councilwoman Birdsall moved the following Resolution, seconded by Councilman DeSalvo and unanimously approved on roll call:

**RESOLVED:** That the following warrants be issued in the amount indicated for the purposes stated:

1. In the amount of \$195.00 payable to The Paperbag Players – payment for a Preschool Trip.
2. In the amount of \$1,125.00 payable to Zee Medical Inc. – payment for ice packs for various teams.
3. In the amount of \$6.24 payable to Charisse Rizzo – payment for refund of one session of volleyball.
4. In the amount of \$120.00 payable to Elaine Volpe – payment for refund of Up In the Air Class.
5. In the amount of \$120.00 payable to Noela Maes – payment for refund of Up In the Air Class.
6. In the amount of \$120.00 payable to Angela Waller – payment for refund of Up In the Air Class.
7. In the amount of \$375.00 payable to North Eastern Basketball Association – payment for 7<sup>th</sup> grade boys travel basketball.

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**RESOLVED:** That bills in the amount of \$3,309,916.39 from the Current Account, and \$18,000.00 from the Rutherford Business Improvement Account, all as detailed as follows on the attached sheets, be passed for payment, warrants drawn and charged to the proper accounts. A complete list of these bills is on file with the Borough Clerk.

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For, **BOROUGH ADMINISTRATOR**, Leslie Shenkler said that in 2010 as many people know is a census year for the Federal Government to count everyone and they are going to set up shop in Rutherford probably in the Library but he wasn't sure but they were going to be looking for people that will work for the Census Bureau starting in April.

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Mr. Shenkler said the pay range for the work will be between \$13-\$20 an hour so that is an opportunity for those who have some time and want to do it productively for the Census Bureau, it is important that they get an accurate count as possible because Federal funding is dependent on that and that was all he had.

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For, **FINANCE**, Councilwoman Inguanti said as they discussed that evening they were moving and digging into the budget and the issues they were going to deal with that evening was an ordinance to raise the CAP limit from 2.5 to 3.5%. She said that does not bind the Council to that amount it simply allows for them to consider it, they are presently over CAP and have quite a bit of work to do, there is still no word from Trenton regarding the State Aid allotment for Rutherford as last year it was cut by \$200,000 to \$1,785,000; as she had mentioned, extraordinary aid applications were not yet available, last year they were out by mid-January. Councilwoman Inguanti said also on the agenda was a Capital Bond Ordinance for \$644,567 which was a re-introduction ordinance from last year. The Finance Committee met with Mr. Cortright and they called their Bond Counsel to get information and it was his recommendation that canceling the \$228,000 from last year's initial capital ordinance of \$932,000 that that money would have to be used only in certain ways in the budget and his recommendation was to use it in the payment of the debt service and that would be her recommendation.

Councilwoman Inguanti said they have scheduled Special Budget Meetings for March 2, 3, 5 and they all start at 7:00 except for the one on March 3 which will start at 8:00 after the scoping hearing for the public information.

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Councilwoman Inguanti moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

**WHEREAS** a lien on the parcel of property referred to as Block 81, Lot 20, more commonly known as 371 Union Avenue and assessed in the name of Hrnjak, Voyin & Zeljka was sold at the Borough's Tax Lien sale on December 30, 2008 to Crusader Lien Services and;

**WHEREAS** the necessary arrangements have been made with the Tax Collector's Office for the redemption of this lien and a check in the amount of \$20,300.99 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$16,000.00 was deposited in the Premium Trust Account on the day of the sale;

**NOW THEREFORE BE IT RESOLVED** that the Chief Financial Officer be and he is hereby authorized to issue a warrant made payable to Crusader Lien Services in the amount of \$36,300.99 in settlement of Tax Title Lien # 0200815.

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Principal.....\$ 19,413.91  
Interest & Penalty..... \$ 835.08  
Recording Fees..... \$ 52.00  
Premium.....\$ 16,000.00  
  
TOTAL.....\$ 36,300.99

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Councilwoman Inguanti moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

**WHEREAS** the following taxpayers have applied for and been granted a State Tax Court Judgment, reducing their added assessment for 2008 and;

**WHEREAS** this State Tax Court Judgment has resulted in an overpayment of 2008 taxes and the taxpayers are entitled to a refund;

**NOW THEREFORE BE IT RESOLVED** that the Financial Officer be and he is hereby authorized to issue a refund check in the amount of \$1020.51 and charge same to Reserve for Tax Appeals.

<b>BLOCK</b>	<b>LOT</b>	<b>NAME &amp; ADDRESS</b>
40	2	Schepisi & McLaughlin, Esq. Parnes Realty Co.

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Councilwoman Inguanti said that the next item was an agreement authorizing JP Morgan Chase for a credit card program via the internet to allow tax payments on-line and she offered the Council to speak with the Tax Collector if they had any questions. Mayor Hipp asked the Tax Collector to approach the microphone.

Caryn Miller, Tax Collector said the information she provided to the Council in their packages explains that it would not be of any cost at all to the Borough, the cost would be incurred by the user of the credit card. The Tax Collector said it is a 2.9% convenience online only, they would not be accepting credit cards any other way.

Councilwoman Inguanti moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call.

**WHEREAS** JP Morgan Chase has a credit card system that will allow residents to make their quarterly tax payments online, and;

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**WHEREAS** there is no cost to the Borough of Rutherford for this service, as the costs incurred by using this option will be assessed to the credit card holder at the time of the transaction.

**NOW THEREFORE BE IT RESOLVED** that the Mayor and Council hereby authorize the Chief Financial Officer to enter into an agreement with JP Morgan Chase for this purpose.

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Councilwoman Inguanti reported the status of the budget preparation as they are preparing and working on it. She said she wanted to get out there, as it was brought to her attention in a recent newspaper article that they have some grants that were lingering and they need to get those resolved. She said they worked diligently on several of them over the last year, the ADA improvement to Borough Hall but there are others they need to focus their energy on with the Borough Engineer and Borough Administrator to find out what the status and how best to rectify.

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

**WHEREAS**, the Borough of Rutherford intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the televising and clearing of numerous sections of sanitary sewer piping of various diameter throughout borough limits and then identifying and correcting/constructing the deficient areas for point repairs, in kind replacement and trench-less lining;

**NOW, THEREFORE BE IT RESOLVED**, that Leslie M. Shenkler, be authorized to act as the *authorized representative* to represent the Borough of Rutherford in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. Leslie M. Shenkler may be contacted at Borough of Rutherford, 176 Park Avenue, Rutherford, New Jersey, 07070 (phone:201-460-3004);

**AND BE IT FURTHER RESOLVED**, that the Borough of Rutherford reserves the right to opt out of the project if financing should cease to be available.

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As Liaison to the **Local Assistance Board**, Councilwoman Inguanti said the Board had a reorganization meeting and she wanted to applaud Kathy Hildebrand for being such

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a diligent employee as she is the first line of defense in stopping fraudulent claims and that is a significant benefit to the taxpayers in the entire State.

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As Liaison to the **Planning Board**, Councilwoman Inguanti said they had the reorganization meeting and the issue they are dealing with is COAH and development issues.

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For **POLICE**, Councilman Genovesi wanted to report to the public, and it is quite serious in nature but it is one that has been monitored very closely by the OEM in Passaic/Bergen Counties and the team within the Borough. He said the EPA will be removing approximately 1500 drums containing both known and unknown chemical from the Apachem Chemical Facility located 2 Peekka Drive in Clifton, NJ. Where Apachem operated a bulk chemical repacking and storage facility and on October 29, 2008 the EPA was informed by the NJDEP that chemical were released from that facility; the removal of the drums has begun and is expected to take about 4-6 months. Since gaining access to the facility the EPA and it's contractor have deployed personnel to stabilize the site and stage supplies and air monitoring equipment for the drums removals. As a precaution Rutherford Officials have met to discuss and plan a response should the removal conditions affect the Borough. Clifton and Passaic County authorities have also prepared a contingency plan. Councilman Genovesi commended Matthew Ziemkiewicz from Bergen County for the extraordinary job he did that weekend and also OEM Coordinator Peter Parisi; the Borough Administrator was very involved as well. He said they are preparing a plan if something were to go wrong on the other side of the river that Rutherford would be prepared.

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Councilman Genovesi wished to commend a specific Officer from the Rutherford PD. He read a letter from St. Mary High School addressed to Dir. Thompson in regards to P.O. Al Anderson and the letter read:

"Dear Mr. Thompson,

Recently Officer Anderson was a guest speaker in my youth law class at St. Mary High School. I am writing this letter in acknowledgement for the outstanding presentation he made to the students. As a police officer he readily connected with the students in conveying enormous responsibilities in his position. He was quickly accepted as a friend of the community and as someone that the students could trust if they had a problem. Officer Anderson presented the PD in most positive way that the students expressed interest in becoming law enforcement officers. As a former officer of the court recently retiring after 27 years as an assistant prosecutor in Passaic Cty. I recognize and appreciate the important work of the PD. I can say without reservation that Officer Anderson is one of the finest officers I met. Kindly accept our appreciation for allowing Officer Anderson to make is presentation to my students.

Kevin Wronko- St. Mary High School

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Councilman Genovesi announced the monthly report for January 2009: 24 adult arrest, 1 juvenile, 7 DUI arrest, 2 missing persons both located, animal complaints 17 and 3 were handled by TYCO, 911 call-116, 73 reportable auto accidents, 14 non-reportable accidents, 17 drivers were injured, 2 pedestrian injured, 247 parking summons, 987 moving summons.

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Councilman Genovesi made a motion to accept the following Raffle License for the Lion's Club for the 50/50 Off-Premise, seconded by Councilwoman Birdsall and unanimously approved on roll call:

**WHEREAS**, certain organizations have applied for a Raffle/Bingo License and have been approved by the Police Director and paid the required fees;

**NOW, THEREFORE, BE IT RESOLVED** that License be issued

to: **Lions Club of Rutherford** **Off Premise 50/50**

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Councilman Genovesi removed the off-site monitoring system for the emergency Police generator for the reason of not adding an extra burden to the taxpayer. He said for clarification it was a system that monitors their emergency generator and if there was a problem with the generator it would trip an alarm and the company that is monitoring it would respond to it. Councilman Genovesi said currently they are running manual tests themselves and there are issues of good air day testing and bad air day testing but the PD has been monitoring it themselves and the reason it came up was because there was a slight problem with the generator. He said the maximum effort would be put into keeping the generator up and running in the appropriate manner and should the need arise where the problem was to resurface, then they would go before the Council again and seek appropriation for such.

\*

Councilman Genovesi said the following Resolution was a liquor license place-to-place transfer from 11 Park Avenue for clarification there is a license that is currently out there for one location and the licensee wants to move the license to the facility next door to them. He said the way it works is that it would establish a liquor store within the confines of a restaurant that already exists there much like two others in the Borough that do the same thing. Councilman Genovesi said there would be the ability to sell alcohol however once an individual purchases that alcohol within that newly created store and once they exit the confines of the store unless it is beer or wine they could not consume that beer or wine at the restaurant next door. He said the BYOB laws would kick in at that

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point so the merchant is free to sell, he assumes, spirits, beer, and wine however on the property beer and wine is the only things that could be consumed so that is the decision before the Council. Councilman Genovesi said he wanted to be very clear that he is not advocating any position by presenting it he was just simply fulfilling his obligation on the agenda to present it, it would be up to the Council to decide whether they want that license transferred from one location to a new location.

Councilman Genovesi made a motion to adopt the following Resolution, seconded by Councilwoman Inguanti:

**WHEREAS**, an application has been filed for a **place-to-place** transfer of a Plenary Retail Distribution License No. **0256-44-003-008**, issued to Sebastiano and Linda Pisciotta, for premises heretofore located at 11 Park Avenue, Rutherford, NJ; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Rutherford does hereby approve, **effective February 24, 2009** the **place-to-place** transfer of the aforesaid Plenary Retail Distribution Licensed premises from its former location at 11 Park Avenue to its new location at 19 Park Avenue, Rutherford, NJ and does hereby direct the Borough Clerk to endorse the license certificate as follows: "This license, subject to all its terms and conditions, is hereby transferred to premises located at 19 Park Avenue, Rutherford, NJ 07070 effective February 24, 2009.

Mayor Hipp asked the Council if they had any comments.

Councilwoman Birdsall asked what the present location a liquor store? Mayor Hipp said 11 Park Avenue is currently occupied by Coccia Realty. The Borough Clerk said it is currently an inactive license for a couple of years. Councilwoman Birdsall said the transfer is to where. The Clerk said it will go to Eros Café.

The Borough Clerk read the roll call: Councilwoman Keyes, Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall, Councilman DeSalvo voted aye; Councilman Genovesi voted nay.

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Under the Consent Agenda, Councilwoman Keyes moved to accept the request from the Veteran's Alliance for the Memorial Day Parade, May 25, 2009, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Under the Consent Agenda, Councilwoman Keyes moved to accept the request from the American Legion requesting permission to close Carmita Avenue between Vreeland and

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Pierrepont Avenue on May 3, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Under the Consent Agenda, Councilwoman Keyes moved to accept the request from Veteran's Alliance to solicit for charitable poppy sale May, 2009, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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For **PUBLIC WORKS**, Councilman DeSalvo reported for February 2009 the DPW collected 439 tons of trash with an additional 49 tons collected by the street sweepers totaling 488 tons costing \$38,695 in dumping fees. He said fortunately since the last report the DPW has only implemented their snow removal and de-icing plan two minor storms in February where they used 200 tons of salt and only 105 man-hours compared to 690 tons and 573 man-hours in January.

\*

Councilman DeSalvo said in regards to Atlantic Coast Recycling who wanted to renegotiate their contract and in speaking to Chris Seidler and Sharon DelVecchio they are still getting the same feedback that the market is stabilized with the recycling market and the other municipalities that were asked to do something about it they were actually holding their ground and no one is leaning either way with that issue. Councilman DeSalvo said at that point it seems they should stay with the contract as it stands and the contract expires in August.

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Under the Consent Agenda, Councilwoman Keyes moved to authorize the dismantle and disposal of the trailer at Memorial Field, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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For **FIRE**, Councilwoman Keyes reported for January, 2009 included 54 incident alarms, 2 structure fires, 22 false alarms, 1 death, 560 man-hours accumulated for the month. She said as a note the Fire Dept. in putting together their budget they are continuing to be very diligent in going after grant funds, looking at ways to supplement the funds that the Borough gives to the Fire Dept. by applying for grants. Councilwoman Keyes said on February 7 Felician College ran into trouble with their fire alarm and their fire suppression system and one of the dorms was off-line so since then the Rutherford Fire Dept. has been supplementing by having people on call at the college over the weekends and evening so that they are covered. She said the Fire Marshal has been working with the College until they could have the necessary repairs and system upgraded.

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As Liaison to the **Board of Health**, Councilwoman Keyes announced the annual rabies clinic will be held March 7 at the Mortimer Avenue Firehouse (r/d March 21).

Under the Consent Agenda, Councilwoman Keyes moved to accept the request for the annual rabies clinic to be held on March 7, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Councilwoman Keyes moved the following Resolution, seconded by Councilman Sasso and unanimously approved on roll call:

**RESOLVED:** that the Chief Financial Officer be and he is hereby authorized and directed to issue a check payable to Fiesta Catering, 255 Route 17 South, Woodridge NJ 07075 in the amount of \$9,000 with an offsetting charge to the 2009 Budget – Fire Department – Annual Firemen’s Dinner.

\*

Under the Consent Agenda, Councilwoman Keyes moved to appoint Councilwoman Inguanti as a Class 3 member of the Planning Board, seconded by Councilwoman Inguanti and unanimously approved on roll call.

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Councilwoman Keyes read the following:

“My next statement has nothing to do with my liaison positions but it speaks to the issue of “community”.

This passed weekend, our community suffered another suicide. A 56-year-old man, who recently lost his job, decided that suicide was his only answer.

When I heard the news, the feeling that I had was one of helplessness. And after I thought about it, that feeling was probably one of the main thoughts in this individual’s mind. One of helplessness.

But, truthfully, we are not helpless, and that’s what I wanted to address tonight. Rutherford is a special community, and always has been a community that gives – gives of its time and treasure. Rutherford is blessed that way.

And, given the state of the overall economy, there have been and will be families affected by the downturn in Rutherford. For those who see suicide as the only way out, we as elected officials, and especially the good residents of our community, should be cognizant of the harsh reality that our neighbor might be hurting and in need – either due to a job loss, loss of income, or just from the economic downturn in general.

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Hopefully, the last couple of suicides are not the beginning of a trend. By now, we all know someone that has lost a job, or is on the edge financially. Some people are just waiting for a company announcement of further downsizing, or just simply struggling to make ends meet. All of these are very scary predicaments. When I am getting on the train each morning, still fortunate enough to be employed, I hear fellow commuters discussing how they haven't been laid off "Yet".

With many one-earner households, what happens next Thursday or Friday - the usual paydays - is stress in itself. Enter in a layoff, and there is no payday. This is a harsh reality for many people today in our country, and I am afraid also in our community here in Rutherford. Unless you have been fortunate enough to save for a rainy day - and many I am sure have been good about that - the reality is that there are many families who have been living paycheck to paycheck. From what I read, a clear majority of Americans do live that way, as attitudes have changed over the years when money and credit was readily available.

I also read an article about how spouses are now going out trying to find work due to a loss of family income or to close an income gap - but the jobs are just not always available or they take longer to find. And, for many spouses, they are trying to get a job around their children's schedule at school.

Stress is an understatement for those who find themselves financially strapped. So we can see how depression, fear and helplessness can begin to play a role and begin to dominate the thoughts of someone in a financial hardship situation.

I'm not going to speculate about what brings a person to the point of contemplating suicide, but I think we, as a community, can play "some" role by letting anyone who finds themselves in a hardship situation know that "they are not alone". In fact, this is one of the many responses that the United Way of Bergen County suggests that we offer to someone who might be speaking of suicide in general - that they are not alone. Fortunately, there are many resources available to our residents who might find themselves in a financial hardship situation - Resources through our town, and through the county and the state. Resources like short-term energy assistance from NJ SHARES for those who have lost income - And, immediate food to our residents here in Rutherford through the Rutherford Food Pantry, which served 20% more in 2008 compared to 2007 - according to the number of bags of food dispensed - and served 15% more households for the same period. People need to know that they are not alone, that people care, and that there is help. Importantly, for anyone who might be thinking about suicide, there are trained professionals who man the 24/7 United Way of Bergen County suicide hotline at 201-262-HELP. I am afraid that the few who might not know where to turn - may become desperate. Our county, state, and local resources may not have all of the answers that people need, but we CAN point them in the right direction.

I am in the process of gathering more information from various sources - from our own health department and social services department, the Bergen County Department of Health services & Community Mental Health services, Credit Counseling Services, Career Counseling services, and our local religious leaders, just to name a few. It is my intention to have relevant information shared throughout the community. One way of course is via

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our website, but also this topic should be discussed openly in our community, so that people who may be vulnerable or especially those in a depressed state, will know that they are not alone, and that there are resources AND professionals that they can talk to. I will also be sharing the information that I get with our churches and religious leaders so that they can make it available within their congregations. **I encourage the local papers who are here today to join me by sharing the contact numbers and details for Bergen County's financial assistance resources, especially the numbers for energy assistance for seniors, low income, and short-term hardship assistance, along with the Rutherford Food Pantry, and United Way of Bergen County's depression and suicide contact details in all of their media venues – namely, website and newspaper.**

In closing, we all need to be cognizant of what the impact of the downturn may be having on us both individually – as well as in our community and with others – and step in, where possible, to help a neighbor, whether we know them well or not - to assist in any way that we can. Again, it is my hope that we are not seeing a trend with the recent uptick in suicide activity in Rutherford. But, together, we should be able to help in the smallest of ways."

Councilwoman Keyes said after hearing about that suicide that it was so necessary to just make some sort of statement and have it out there that no matter where they are the food store, the field, talk about those things so that people who are vulnerable will hear it and not feel so alone.

Mayor Hipp thanked Councilwoman Keyes and said that they all share in the grief that they feel as a community over what happened the past weekend and a month ago and they wished they had the opportunity to prevent it and maybe getting that information might work to prevent the reoccurrence in the future.

\* \* \*

For **BUILDINGS & PUBLIC UTILITIES**, Councilwoman Birdsall said before she started her reports she wanted to thank Councilwoman Keyes for her efforts and if there was anything she could do to assist her to please let her know. Councilwoman Birdsall said the monthly report uniformed construction code revenue for January \$35,975, construction dept. revenue \$2,820 totaling \$38,795; total value of construction \$1,476,056 total of 116 permits issued, inspections 436.

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Councilwoman Birdsall said in reference to the Citizen's Roundtable forum the proposal is for three Saturdays, March 21, 28 April 4 from 10:00-12:00 which could be changed per discussion of the Council and the idea is for any and all interested Rutherford citizens to participate and facilitate by interested members of the Governing Body. She said the sessions will last about 2 hours where there will be open discussion for citizens of the Borough and the discussion would be led by the attendees not by the facilitators and the reason behind that is that the citizens should really have an opportunity to discuss

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issues of concern or visions of the community in an open and welcoming environment regardless of any appointments that they may have through a local board or committee and it will be in a relaxed working session. Councilwoman Birdsall said it would be in addition to Council Meetings where citizens are encouraged to come and provide comments. She said first session agenda would essentially consist of a welcome, the purpose of the meeting and discussion of the pros and cons of the Borough and begin prioritization of the cons; the second session would review where they were, complete the prioritization of the cons and then break down into small group discussion areas based on those issues so that they could start to develop a plan of action or brainstorm to address areas they could do better; the third session would be a review of the previous session, reconvene in small groups to finalize the next steps and have a spokesperson from each of the small groups present and then the whole forum would prioritize plans of actions that were presented and develop recommendations and potentially timelines that could be turned over and recommendations to the Governing Body or Committees.

Councilwoman Birdsall made a motion to accept the proposal for a citizen round table forum, seconded by Councilwoman Keyes. Mayor Hipp asked if there were any discussion requested by the Council.

Councilman Genovesi asked if they could get the Borough Attorney's opinion on the number of Council people being in the same room at the same time. The Borough Attorney said they could make it easy, what he would do is advertise as meetings so that way if they have a quorum, affective majority, then they are covered that way it would alleviate a lot of concerns because they may get a situation where two Council people come and one leaves and two more come and then they are up to four Governing Body members. The Borough Attorney said that way if they advertise it that way the worse case scenario is that it is not an official meeting in the sense that they don't have a quorum but if they do have a quorum then they have a meeting in either case the purpose as he understood it is to have a forum for citizens to go up and speak. He said so they should advertise it as a regular meeting.

As no further discussion was requested, the discussion was closed. The Borough Clerk read the roll call: Councilwoman Keyes aye, Councilman Genovesi so long as quorum is not reached then he would agree to it, if it is not a scenario where quorum is reached. Councilwoman Birdsall said it is not a forum where any action to be taken. Mayor Hipp said they are in the middle of a vote so he asked the Council's consent to go back because Councilman Genovesi they need to understand his vote and it is basically a yes or no if there is a condition that quorum not be reached then he had to make that as an amendment and they would have to deal with that either as a friendly amendment. Councilman Genovesi said to simplify then his answer is yes. Councilwoman Inguanti – aye, Councilman Sasso-aye, Councilwoman Birdsall-yes, Councilman DeSalvo-yes. Motion carried.

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As liaison to the **Board of Aesthetic Review**, Councilwoman Birdsall said they met on February 9, it was a wonderful Board and she was very impressed with the work they

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do. They were discussing the Arbor Day Tree Ceremony and they will be dedicating a tree to Fred Bunker the first Borough Historian in Rutherford, worked many years for the Borough, he loved Lincoln Park as well as the Library Garden. She said they received a lot of correspondence from many residents suggesting that a tree to planted and dedicated to Mike Schmeding's brother Tom Schmeding who recently passed away. Councilwoman Birdsall said Steven John from the Shade Tree Committee spoke about the new tree nursery at Memorial Field and how well they are doing. She said the Dupont Grant is no longer in affect so they can not depend on them to donate any more trees, the Shade Tree Committee would like to develop another area perhaps along Erie Avenue to grow trees and they would also like to work on restoring Lincoln Woods and add new plants to that area.

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Councilwoman Birdsall said the status of the Borough Attorney Committee and recommendation for appointment as noted at the work-session the Committee conducted interviews with the candidates on February 13. She said they reported back to the Council at the work-session on February 17 and a vote was taken at the request of Councilman Genovesi to conduct second round interviews and those were conducted that evening and some will be conducted on Friday. Councilwoman Birdsall said the Mayor has scheduled a special meeting on Friday for the appointment to be made. She said she knows there was some discrepancy as far as the 30 day rule, she stands by the statements made regarding the direction on that rule perhaps there was some miscommunication as to the specifics of the situation and she has a great deal of respect for NJ League of Municipalities and she is glad they are a resource. Councilwoman Birdsall said there was an article in the South Bergenite on February 20 that clarified that they could proceed and make the appointment without further delays or obstacles so therefore she was looking forward to the meeting on Friday and looking forward to proceeding so they could get on with the business of the Borough.

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For **HUMAN RESOURCES**, Councilman Sasso stated for the monthly report the Recreation Dept. held there first Rec. round table with the representative from the Board of Ed. Athletic Dir and the Athletic Dir from St. Mary High School as well as different recreation organizations coordinators. He thanked them for their cooperation, knowing that they only have so much space available and there is a demand by all the organizations collectively both in the recreation, travel program, the high schools and Felician College. Councilman Sasso said they talked about volunteerism because Rutherford does have a lot of volunteers and it was quite evident in the 15-18 people at the meeting represented not only the high school but various organizations because 90% of them are all residents in town and they are looking to do something positive in town with donating their time or raise funds if need be. He said another item from the Rec. Dept. in April it is volunteer month and one of the things the Rec. Dept. did last year along with other organizations was on various Saturdays in April took on projects and perhaps they could get more this year to work together.

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Councilman Sasso said they spoke about the Memorial Field House and when and if the trailer at Memorial Field is removed that the surrounding foliage get redistributed around the Memorial Field Building as Councilman DeSalvo had suggested so that the trees are not discarded. Councilman Sasso said the other thing they are looking at is proactive field maintenance which hasn't been done to the best of anyone's knowledge for any time since Tryon Field has been in operation so it was something they want to work through. He said they wanted to discuss the 4<sup>th</sup> of July, maybe they take it from the approach that they necessarily aren't looking for a decision since there is much debate over the budget and expenses but maybe move forward with going out for bid for July 2 because it would be a work day for the Borough employees that would reduce overtime cost but the problem is they need to start that process of going out for bids to allow them to discuss it next week at the budget hearing if the Governing Body feels they would like to have. Mayor Hipp said he thinks it is appropriate to bring it up that night however, the budget will be introduced by March 12, that would be sufficient time if the Council chose to include a 4<sup>th</sup> of July celebration be in on the 2<sup>nd</sup> or whatever it would be sufficient time for recreation to enter into contracts. Mayor Hipp said at the latest it would be March 12 because they would be introducing the budget at a special meeting.

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Under the Consent Agenda Councilwoman Keyes moved to accept the request authorizing to advertise for summer employment, seconded by Councilwoman Birdsall and unanimously approved on call.

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Councilman Sasso said he was putting forth a resolution with Musco Lighting, a three-year maintenance agreement or 3,000 hours of light usage for the lights at Tryon Field.

Councilman Sasso made a motion to approve the contract with Musco Lighting, seconded by Councilwoman Birdsall.

Mayor Hipp asked the Council if they had needed any discussion.

Councilman Genovesi asked if all the language in the document cleaned up. Councilman Sasso said yes they verified along with the Administrator from the 10 year to the appropriate timeframe. Seeing no further discussion the matter was closed.

The Borough Clerk read the roll and the motion was unanimously approved.

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Councilman Sasso made a motion to award the contract for recreation t-shirts for the upcoming season to MC Impressions, seconded by Councilwoman Inguanti. No discussion was requested. The Borough Clerk read the roll call with unanimous approval.

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**MAYOR'S COMMITTEE REPORT**

Mayor Hipp wanted to remind members of the public of the March 3<sup>rd</sup> scoping hearing on the DOT Route 3 Bridge Project with the purpose of the hearing to discuss the transfer of land owned by the Borough to the DOT so that it can expand the Route 3 Bridge over the Passaic River. The Mayor said under Green Acres regulations the town is required to have a scoping hearing on a pre-application process so that the members of the community could be brought up to speed as what is happening, what the request is for and the potential discussion in connection with compensation. Mayor Hipp said Mr. Moller all those ideas could be brought up at that time so he invited his attendance in particular but he invites everyone.

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Mayor Hipp said with respect to Encap the press reports have all indicated the end of the bankruptcy, that action had been dismissed and the next question as far as the town is concerned is what to do with the existing tax liens. The Mayor said there was a tax lien in 2007 but there is also one in 2008 automatically by statute and during the course of next week what happens with that lien will be discussed as part of the budget process. Mayor Hipp said there are negotiations on-going with the Meadowlands Commission as well as discussions between the other major interested parties, specifically Wachovia Bank Consortium and the AIG insurance companies so there is still the potential for amicable resolution of the outstanding issues over the next several weeks. The Mayor said there are options available to the Borough if that doesn't take place which will take place in 2009 and he will continue to speak about it as information becomes available but now the status is that there is a foreclosure proceeding which is pending by Wachovia which was instituted in 2007 which is still on the docket, Wachovia has apparently not moved on it and the Meadowlands Commission is waiting word from Wachovia as to how it wishes to proceed and they are in negotiations.

\*

Mayor Hipp said the Rutherford Downtown Partnership has requested that the Council undertake the consideration of the proposed ordinance amending the sign ordinance to allow for sidewalk sandwich board signs to be placed on the sidewalks. The Mayor said a draft ordinance will be prepared and what he would like to do because he was making an appointment that night to the RDP Board of Trustees he would ask that a member of the Council take that up before the Council approves it.

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Mayor Hipp announced there will be a Mayor's forum on March 18, a forum that he instituted last year, they had several of them and it will be in Council Chambers and it will be recorded and he will provide more information to the members of the public and he invites all to attend and comment.

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**MAYOR'S APPOINTMENTS**

**John Uhl** – Planning Board Class 2 member retroactive to January 29<sup>th</sup>.

Councilman Genovesi moved confirmation of John Uhl to the Planning Board, seconded by Councilwoman Birdsall and unanimously approved on roll call.

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**Robin Reenstra-Bryant** – Youth Advisory Council

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**Council Liaison Positions**

**Councilwoman Birdsall** –Williams Center

**Councilman DeSalvo** – 55 Kip Center  
Downtown Partnership

**Councilman Sasso** - Nereid Boat Club  
Board of Education  
Rent Board

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Mayor Hipp asked for confirmation of Rosario Presti.

Councilman Genovesi moved confirmation of the **Rosario Presti** for Prosecutor, seconded by Councilwoman Birdsall, unanimously approved on the roll call.

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Mayor Hipp asked for confirmation of Kenneth Davie.

Councilman Genovesi moved confirmation of the **Kenneth Davie** for Alternate Prosecutor, seconded by Councilwoman Inguanti, unanimously approved on the roll call.

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Mayor asked for confirmation of John Bruno, no response.

Mayor Hipp said Mr. Bruno will continue in a capacity as Public Defender until such time as he is replaced by the members of the Council, as of that night the Council is free to make an appointment for the Public Defender position.

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Mayor Hipp asked for confirmation of Marlena Huesmann.

Councilwoman Inguanti moved confirmation of the **Marlena Huesmann** for Alternate Public Defender, seconded by Councilman DeSalvo. The Borough Clerk read the roll call; Councilwoman Keyes voted nay; Councilman Genovesi abstained; Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall, Councilman DeSalvo voted aye.

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### **ORDINANCES ON 1<sup>st</sup> READING**

Councilwoman Inguanti introduced the CAP index ordinance as she described in her monthly report it allows them to lift the CAP to 2.5% to 3.5%, it is simply to allow them to consider it as they put the budget together.

The Borough Clerk read the title: **CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**

Councilwoman Inguanti made a motion for the Ordinance on 1<sup>st</sup> reading and advertised according to law, seconded by Councilman Genovesi. Mayor Hipp asked for discussion; seeing none the discussion was closed.

The Borough Clerk read the roll call; unanimously approved on roll call.

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Councilwoman Inguanti introduced the bond ordinance canceling projects from the \$932,076 leaving a sum of \$644,567; the amount canceled at the request of the Bond Counsel to be utilized to pay down debt which will free other moneys in the budget for other purposes. The Councilwoman said it was actually the 2008 Capital Ordinance being re-introduced because it was voted on last year and they did not get a 2/3 majority.

Borough Clerk read the title: **BOND ORDINANCE TO AMEND THE PREVIOUS BOND ORDINANCE #3168-08 WHICH TOTALLED \$932,076 AND APPROPRIATE THE SUM OF \$644,567 FOR VARIOUS CAPITAL IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF RUTHERFORD, IN THE COUNTY OF BERGEN, NEW JERSEY AND TO TRANSFER UNEXPENDED BOND ORDINANCE BALANCES AND REAPPROPRIATE SAME TO FINANCE SUCH APPROPRIATION.**

Councilwoman Inguanti made a motion for the Ordinance on 1<sup>st</sup> reading and advertised according to law, seconded by Councilwoman Keyes. Mayor Hipp asked for discussion.

Councilwoman Birdsall asked in reference to the authorization following capital improvements and how it is delineated for instance curb and sidewalk improvements

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\$12,000; improvements to Ridge Road \$25,000 are they held fast into those amounts in those categories or say if something like a stimulus comes through and they are able to get revenue to accomplish the improvements of Ridge Road through that will the \$25,000 be able to be appropriated to something else? Councilwoman Inguanti said it was her understanding that if they re-appropriate the money it is considered a capital bond ordinance and it would need a 2/3 majority so it is possible but that is something that was clarified by their Bond Counsel. Councilwoman Inguanti said those moneys had been borrowed over in the past, they are not new moneys so yes if they got a significant disbursement from the stimulus package and they determined that the \$25,000 would be better utilized somewhere else it was her understanding that they could re-appropriate that but that it would need to be done following that procedure. Councilwoman Birdsall said there was an item in there for computer upgrades, are they able to do that in any capacity throughout the Borough or does it have to be defined more distinctly, what flexibility do they have with that. Councilwoman Inguanti said it was her understanding with the computer upgrades that what was envisioned was a Borough comprehensive upgrade to the computer system. Councilwoman Birdsall said she knows there was some concern with the server and she was wondering if that money is allotted for that. Councilwoman Inguanti said it was envisioned to help with the overall computer upgrade for the server, finding a new location for that server that is more secure and any other necessary infrastructure upgrades that would be necessary for bringing the computer system to the 21<sup>st</sup> Century.

Councilman Genovesi asked when each individual line item is ordained out, he thinks that is when they get a little more specific as to exactly what, so they could kind of narrow it down as they ordinance it out. He said to the Mayor he has to tell him that he has been staunchly against the transferred money and he thinks the Mayor has known that for a couple of months and the two of them went back and forth on that in November and December. Councilman Genovesi said the real question is whether to take the \$221,000 and transfer it into surplus, his argument was that if they do that then in 2010 they will run into a situation where to re-borrow that same money they would incur another \$45,000 in interest at 3.5% for ten years. He said given the amount of trouble they are in with the budget it's against his logic for the last two months but he understands the importance of what he expressed through his comments. Councilman Genovesi said he still thinks they may run into a problem in 2010, he thinks that not foreseeing that they are going to have a capital improvements need to be planned out in that year is, he didn't want to use the word naïve Mr. Mayor but he just thinks they have to be cognizant that they are going to run into that situation. Councilman Genovesi said they are in dire straits now and the more he looks at the numbers the more he realizes that they are going to have to try to do their best in 2009 and get it done. He said they will take 2010 as it comes and he hopes that during 2009 they find themselves in a much better position than they think they're going to be in and he knows no one can foresee the future; he thought a lot about the ordinance and he is going to agree with Councilwoman Inguanti given the current situation. Councilman Genovesi said two months ago he thought it was going to get better but it doesn't look like it is going to get better with that mind he would like him keep in mind that they still need to effectively plan for 2010 and really narrow down what they think, what they are going to need in 2010 and so on. He said he will waive his objection to the ordinance in the interest of narrowing that gap down.

Seeing no further discussion it was closed.

The Borough Clerk read the roll call; unanimously approved on roll call.

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Councilwoman Inguanti introduced the COAH ordinance to create the position of Municipal Housing Liaison was being re-introduced with more information as the Borough Planner Jonathon Birch contacted COAH and Kate Butler of COAH confirmed that her thought was that the Borough staff in Rutherford will not need to hire a new person to fill that position as the current staff once trained with COAH will be able to fill that position. Councilwoman Inguanti said also was the issue of compensation, the Borough could provide compensation through the Affordable Housing Trust Fund up to 20% of the annual collections could be spent on administration which could include compensation for the liaison. She said obviously the key set of words there is 20% of the annual collections, so in a year where there aren't any collections they have an issue and it is also the trust fund funded by the 2.5% that is contemplated in their affordable housing application they sent in December which is still in the air. Councilwoman Inguanti said the ordinance simply creates the position which is the first step of a Municipal Housing Liaison, they could still as a Governing Body discuss who they would want in that position, there is the more difficult aspect of the administrative agent which probably will require more discussion and a little more difficult job. She said there is a punitive baseball bat behind the request for the Liaison for the creation of the ordinance if they don't fulfill that they could send a nasty letter and loss the protections afforded them by getting the certification in by December 31, 2008. Councilwoman Inguanti said she asked Jonathon to provide that information to the Council regarding the 20%, it would probably go a long way if COAH started treating Governing Bodies with a little more courtesy instead of the way they are being discourteous and very disrespectful of the requirements of the Governing Body for public meetings, to deliberate on the issues in greater detail and to contemplate the significance of those decisions, however, she recommended adopting it on first reading because there was still time on second reading. She said she also recommends the Council contemplate for the March meeting a resolution requesting some information from COAH, namely what is the plan for the 2.5% if it does not get fulfilled and there are other issues they may want to ask from COAH. Councilwoman Inguanti said they ask for a lot from them and they aren't particularly forthcoming in terms of what they are going to do to protect the municipality.

The Borough Clerk read the title: **AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE BOROUGH OF RUTHERFORD'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.**

Councilwoman Inguanti made a motion for the Ordinance on 1<sup>st</sup> reading and advertised according to law, seconded by Councilwoman Keyes. Mayor Hipp asked for discussion.

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Councilman Genovesi said the Ordinance is a sham as he said at the last meeting, that comment was not directed to Councilwoman Inguanti or Mayor Hipp it was directed to the people in Trenton who crafted the Ordinance; he called them the henchmen of Jon Corzine and that is exactly what they are. He said COAH, the Ordinance that was created by the COAH people and sent to the Borough is a sham, it's disgusting in every sense of, he means they are demanding that they create a taxpayer funded real estate agent and he said it last week and he meant it, government is not in the housing industry, Mr. Mayor, they are in the services industry. He said to think that they have to appoint someone and pay them to carry out the wishes of COAH is just something that turns his stomach, he has nothing but contempt for that document that was placed before him. Councilman Genovesi said he finds it sad really, if they think the course that the State has run; 200 years ago they were one of 13 that fought for independence against a King an ocean away and the same State which fought for independence and freedom of choice and rights is the same State that strips it from the individual resident. He said they are not leaving them with a choice, they have one of two choices which was to go along with what they want or else they will introduce them to the unfriendly end of their bat. Councilman Genovesi said the gentlemen that came in and when he said that Jon Corzine is ultimately to be held responsible for the COAH mandates and the gentlemen said it was the judges. He said it is not the judges because judges do nothing but adhere to what Corzine and the Legislature put forth; it is the same Trenton bureaucracy that allows it to go on and he thinks there is a certain amount of accountability that was never dealt out and that accountability should have been seen with projects like Encap, Mr. Mayor and the corruptive nature that took place within that project. Councilman Genovesi said that the reason he brought up Encap was that in 2004 a big criticism of people in the town was they did not have a choice, that Bernadette McPherson met in December 2004 with her Council and voted to basically give in to what the State wanted to be done with that land. He said the result of that was the sale of the property and the reason he brought that up was that Bernadette McPherson is long gone, they hope, roots may still lie but the point of it Mr. Mayor is that at that point they could only be re-active and that is something that he had said earlier in the evening and they did not have a choice to be pro-active. Councilman Genovesi said the reason he had been fighting it so hard for the last couple of weeks and everyone's been voting yes, yes, and he was actually shocked the one meeting where everyone voted it down. He was asking them to help be pro-active, to say no; John knows that it was wrong, he knows it's wrong, he put stuff in their literature that said "I am against over development" that means that you're against overdevelopment; and he wasn't just targeting him, Mr. Mayor, that is a message for the entire Council, Mr. Mayor put in his literature that he was against over development and then when he has an opportunity to be pro-active against it he claims that he is afraid of being sued, they are going to sue regardless. Councilman Genovesi said they are going to crush him anyway, fight them, if he puts it in his literature, he should dam well mean it.

Councilwoman Birdsall asked if they were still part of the group of municipalities that was challenging the COAH legislation. Mayor Hipp said yes. Councilwoman Birdsall said so on that front they are as a Borough standing up to opposition of that, she doesn't like it either but from her understanding of their meeting last week in order to protect the Borough until the challenges to COAH are successful if they don't pass the Ordinance they are opening themselves up to not even submitting a plan. She said the Mayor had said

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they were going to war, and that they need to protect themselves as best they could and she agrees with Councilman Genovesi that she doesn't like COAH, she thinks it needs to be challenged and deserves to be changed but based on the information they had, she didn't want to see the Borough be in a worse situation with a builder's remedy lawsuit or lose their authority for zoning all together.

Councilman Sasso said that obviously it is an election year and maybe to make their voices really heard in November they should maybe look for a new Governor.

Councilwoman Inguanti wanted to recommend that the Council go to the League of Municipalities website where there is a substantial amount of information on the challenges being made with the COAH round 3 rules. She said the lawsuit that they are a part of with the 234 municipalities who have joined the Leagues lawsuit is interesting, but far more interesting are the 20 towns in Somerset County and there is a very good summation of their complaints against COAH on the Leagues website, it's only 6 pages. Councilwoman Inguanti said she read it and was shocked, it was things that she knew but to see it so clearly was really shocking and when she referenced some sort of resolution or a letter from the Council to COAH that is what she was talking about. She said it was to ask for clarification of many of the things COAH is asking municipalities to accept it at face values which she thinks is very dubious in their creation, the numbers, the accessible land, it's very interesting so if everyone could look at that website she thinks they could all go to the next meeting really prepared to effectively challenge COAH in a way that will be helpful not only to the Governing Body but also to the Planning Board as they look to deal with that issue.

Councilwoman Keyes said they should not lose sight of what they were doing that night, they all feel the same way about COAH but they need to do something in order to protect the Borough and that was what they were challenged with there that night.

Councilman Genovesi said he agrees that protecting the Borough is important but every time they bring up a COAH issue it is always back to the same thing, well we have to give in because it is going to hurt the Borough; well we have to give in because the reality of it is that they are going to sue or they're going to force them. He said they are living under their thumb, they have not targeted anyone specifically there, he appreciates everyone's thoughts on the matter, he gets a little heated over it because he feels passionately about it. Councilman Genovesi said he doesn't believe in high density housing, he doesn't believe in over development and he feels that every single action they take relevant to COAH continues to open the door to over development in their community. He said developers will use their support for the COAH regulations for an excuse to build here, he asked the Council to please think about, they are using taxpayer money to put someone in a position when the community doesn't want that type of development. Councilman Genovesi said all they are saying no to is that they are not going to pay for someone to sit in the building and rent out units and lease out units and keep track of how many units are being sold and how many are being built, don't give into them. He said they sent the plan in, he voted against it but the Council sent the plan in, they adhered to what they wanted, now they are giving them something else to adhere to and when they agree to that they are going to give them something else to agree, it's

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never going to stop, it's not going to stop until they take all the power away from and give it to themselves. Councilman Genovesi asked them to say no to the position, he was not telling them to do anything else besides that, he was asking them if they were really against over development to please say no to that position.

Councilman DeSalvo said he believes in what Councilman Genovesi was saying and they can't keep giving in every time they ask them to and they do have to protect themselves but if they keep giving them a piece they are going to back themselves into a corner sooner or later they are going to take it and go with it. He said he was not for it.

Mayor Hipp said the problem has been pretty clearly identified by the discussion that night and he thinks the discussion for the most part has been one of the good things the Council could do. Mayor Hipp said he feels that they really have two choices, actually they don't really even have two, they could say no to COAH which he thinks is the argument that was being advanced and they may get away with that for a while but at some point Highland Cross Development Team will file a builder's remedy lawsuit against them. The Mayor said they will have to litigate that issue in court, they could win, they might prevail or what may happen to them and he believes that will be the far more likely outcome is that the Appellate Division after an appeal, because they will lose before Judge Harris, render an opinion affirming Judge Harris' decision that happened on August 29, 2008 against East Rutherford and Carlstadt. Mayor Hipp said when they brought an action against those two municipalities and the Meadowlands Commission for development on the track bordering the Hackensack River and the outcome was the Appellate Division affirmed Judge Harris' decision to require a plan to be submitted by both towns that complied with the COAH requirements under Round 2 when it was initially started; and in failing to do that, they appointed an implementation monitor who did it for them and now under the decision of Judge Harris affirmed by the Appellate Div., Mr. Regan who is the monitor actually gets to decide what normally is decision by the Planning Board and Board Adjustment with respect to development in the Meadowlands and in fact because of the litigation they ended up allowing more development and housing than was originally proposed by them. Mayor Hipp said they are sort of at a crossroads there and he didn't believe they are operating out of fear or that they are caving in, he never did, but he believes they have a public duty and responsibility to protect the town from that kind of exposure and what they had blindly in front of them in black and white was a decision by the courts that would reek havoc on their town. The Mayor said they have a duty to prevent it, they need to protect their flank against the builder's remedy lawsuit, that doesn't mean they are caving into COAH, coming up with a plan and coming up with a housing liaison position is in his position by no means caving in. Mayor Hipp said what it does is allows them time because if they don't take that action next year or later on that year, possibly as soon as June or July they will be faced with a lawsuit. The Mayor said they will be ending up doing that again but they won't have a vote, they won't be able to sit up there and say no anymore; the only way out in his opinion is to do what they were doing to implement the plan, create the Ordinance and basically continue to fight at the courts, there is a lot of opposition, there are over 33 different factions involved in the current appeals and in addition to that there are legislative initiatives being promoted and finally they are going to try over the next several months to encourage their legislatures to change the law. Mayor Hipp said if they need to get buses to go down there, they will do

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that and those are the things that need to be done in coordination but he didn't want to waste or threaten or risk precious resources from the community in an action they could have avoided. The Mayor said he believes it is absolutely essential that the one Ordinance be passed that night on 1<sup>st</sup> reading and then passed again so they are protected.

The Borough Clerk read the roll call: Councilwoman Keyes, Councilwoman Inguanti, Councilman Sasso and Councilwoman Birdsall voted aye and Councilman Genovesi and Councilman DeSalvo voted nay. Motion carried.

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Councilman DeSalvo introduced the amendment to the Solid Waste Ordinance to comply with the New Jersey mandatory recycling act.

The Borough Clerk read the title: **AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF RUTHERFORD, CHAPTER 82A ENTITLED RECYCLING.**

Councilman DeSalvo made a motion for the Ordinance on 1<sup>st</sup> reading and advertised according to law, seconded by Councilwoman Keyes. Mayor Hipp asked for discussion; seeing none the discussion was closed.

The Borough Clerk read the roll call with unanimous affirmative vote.

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Mayor Hipp once again opened the hearing of the citizens.

Bonnie Corcoran, 290 Montross Avenue wished to apologize to Councilman Genovesi, her last comment to him was rude but she is just really upset at seeing the taxes go up and up and as a property owner it was getting harder to stay in the town she fell in love with. Ms. Corcoran said she had a choice to move anywhere she wanted and she choose Rutherford and it is kind of like being adopted which she was, when you're born into a family, when you're adopted you get chosen it's kind of an extra special thing. Ms. Corcoran said she was sorry to have slapped him down but they are all feeling the brunt of it and something needs to happen before something gives like Councilwoman Keyes said, they were a couple of suicides in town and since January she had 10 friends loose jobs, 2 of them husband and wife with no jobs. She thanked Les as he told her in his police budget meeting that he got the Police Dir. to put in that the cops are going to monitor them on and off so they could get moving on pedestrian safety and not have anyone hit. Ms. Corcoran said she was pleasantly surprised, but she wasn't sure if Councilwoman Keyes knew about it, to hear that got passed and even though she isn't on the committee she is still going to stamp her feet to try to get grants and information about grants so they could get money into the town to maybe pay to get cops to be in the crosswalks and stuff.

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As no further citizens wished to speak, Mayor Hipp closed the hearing to the citizens.

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Councilwoman Keyes said that the Mayor appointed Councilman Sasso to Nereid, she received an email that afternoon from Joe Sommer from Nereid and she will forward that to him tomorrow because it requires a lot of attention.

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Councilman DeSalvo moved the following resolution for a closed session, seconded by Councilwoman Keyes with all members present voting aye:

**WHEREAS**, the Open Public Meetings Act requires that a public body adopt a resolution at an open meeting before going into closed session to discuss a matter which excludes the public as permitted under the Act:

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Rutherford will hold a closed meeting on Tuesday, February 24, 2009 at 11:50 p.m. in the Committee of the Whole Room to discuss the following matter:

- Timothy Stafford

The meeting re-convened to open session 12:20 a.m.

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Councilman DeSalvo made a motion to send Timothy Stafford a letter to resolve the issue of \$26,000 vacation time payment and the \$8,000 as referenced in the audit report, seconded by Councilwoman Inguanti; no discussion was requested.

The Borough Clerk read the roll call-unanimously approved.

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Mayor Hipp asked for a motion to adjourn.

Councilman Genovesi moved to adjourn at 12:20 p.m., seconded by Councilman Sasso and unanimously approved on roll call.

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Borough Clerk