

**MINUTES OF THE 1st MEETING OF THE
MAYOR & COUNCIL
HELD TUESDAY, APRIL 13, 2010**

The meeting was called to order by Mayor Hipp at 7:04 p.m. with the following Councilmembers present:

Councilwoman Inguanti
Councilman Sasso – arrived 7:15 p.m.

Councilwoman Birdsall
Councilman DeSalvo
Councilman Genovesi

Councilman Parnofiello - absent

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

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

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BOROUGH ENGINEER’S REPORT

Borough Engineer Berge Tombalakian provide updates on the following projects:

- World War I Monument
- Memorial Field Backstop Contract-Discussion took place
- Police Department Electrical Panel
- Williams Center Plaza
- Kidspot Bathroom revised specification
- Leisure Lane-Discussion took place

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Councilman DeSalvo moved the following Resolution for a Closed Session, seconded by Councilwoman Inguanti 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:

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NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rutherford will hold a closed meeting on Tuesday, April 13, 2010 at 7:20 p.m. in the Red Conference Room to discuss the following matter:

- Personnel – RICE Notice
- Borough Administrator interviews
- Review of closed minutes
- Police retirement
- Fire Department issue
- Layoff letters
- Union negotiations
- Litigation

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The meeting reconvened at 8:45 pm in the Council Chambers.

Mayor Hipp asked if the Council would permit a change in the agenda sequence to begin with the introduction of the budget to enable a Councilmember to leave early. No objections.

FINANCE

Introduction to the 2010 Municipal Budget

Mayor Hipp explained the \$4.2 million dollar gap between revenues and expenses leading to a 25% increase in the municipal tax levy if they didn't substantially cut expenses and that the Borough was required by law to introduce a budget as was the first step in adoption of the budget.

Councilwoman Inguanti presented the introduced budget prepared by the Finance Committee and CFO Ed Cortright. The Councilwoman expressed her gratitude toward the employees for their efforts in assisting the Borough to reduce costs. Councilwoman Inguanti spoke regarding the budget process.

Mayor Hipp explained the proposed budget presented by his Office and presented the differences.

Councilwoman Birdsall disagree with the Mayor's proposed budget saying that would bring approximately 47 fulltime jobs to part time and that would lead to losing the integrity of the Borough. The Councilwoman asked that they discuss some of her suggested savings and revenues which were not included in neither of the proposed budgets. Councilwoman Birdsall noted that she was in support of the Finance Committee's proposed budget.

Councilman Genovesi asked the Mayor if there were any studies done regarding the impact of reducing the entire workforce of the Borough to part time.

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Mayor Hipp commented that it was 45 positions not the entire workforce and explained the cost reductions in his proposed budget.

Councilman DeSalvo asked how the Borough would operate with nearly 50 employees working part time. The Councilman stated they need to have better communication between, employees, Council and the Mayor so they could put everyone's thoughts together instead of having two different proposed budgets. Mayor Hipp commented that they have asked the unions to cooperate for two years and the most they did was volunteer for furlough which are not a permanent solution. The Mayor continued that the Finance Committee's budget cuts \$434,000 from the Library and he questioned what were the Library employees going to do?

Councilwoman Inguanti commented that reduction in hours for DPW workers would lead to more injury and costs for unemployment and costs for private haulers which is substantial. The Councilwoman informed the Mayor that by law they cannot reduce the tax collector to part time. Councilwoman Inguanti reminded all that it was a budget for introduction and it was still a work in progress.

Councilman Sasso asked the CFO if in his opinion if there would be problems if they reduce from 135 full time to 47 part time employees? The CFO could only respond regarding the Finance and Tax Department and stated that they couldn't work with on a part time basis and he explained the amount of work the Departments complete.

Mayor Hipp questioned the CFO further regarding the amount of work and a time line of how items would be delayed if part time employees.

Councilman DeSalvo made a motion to introduce the budget set forward by the Finance Committee, seconded by Councilwoman Inguanti. The Borough Clerk read the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall, Councilman DeSalvo and Councilman Genovesi voted aye.

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HEARING OF CITIZENS

Mayor Hipp opened the hearing of citizens.

Richard Doren, 97 Ridge Road questioned the status of paving Ridge Road. Mayor Hipp responded that they were working with PSE&G for a section of the road and his efforts were to ask the LFB to use a portion from outstanding leases for paving of Ridge and perhaps other roads.

Pat Wester spoke on behalf of the Library Board and asked for a meeting with the Council and the Library Board to discuss the budget.

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Jerry Miller, 65 Wilson Avenue commented that the budget is a tough job but they needed to do what was necessary to keep the taxes as low as possible.

Gerry Grenier, 188 Springfield Avenue-Treasurer of Library Board spoke about the importance of the Library and how cuts to their budget would be devastating.

Bonnie Corcoran, 390 Montross Avenue asked if studies were done by the Mayor for his budget.

Steve Pisciotta, Fairview Avenue spoke regarding once a week residential garbage pick-up and asked that they consider once a week commercial pickup.

Lorraine Russo, 130 Hobart Avenue disagreed with the proposed plan to take away medical benefits from 45 employees and asked what efforts were being done to bring businesses into town.

Rich Myrlak, 321 Mortimer Avenue asked the Council to address the abandoned home at 19 West Newell Avenue and commented that it was improper to question the CFO as they did. Councilwoman Birdsall asked the Borough Attorney to review any possibilities the Borough may have regarding the abandoned property.

Marie Creste, 230 Union Avenue questioned the library cuts proposed in the budget.

As no further citizens wished to speak the hearing was closed.

Councilwoman Inguanti responded to Ms. Corcoran that they did not perform studies; the budget was based on priorities. The Councilwoman explained the once a week garbage program and stated that they would like to meet with the Library Board to discuss the library budget.

Councilwoman Birdsall responded to Mr. Myrlak that they will follow-up on the issue regarding the house and commented on budget items.

Councilman Genovesi stated his concerns regarding a reduction in the work force and the effects it could have on overtime and the Borough overall. The Councilman suggested reviewing the Library budget as he felt they could shift items.

Mayor Hipp stated the study of the police department was a verbal analysis for the change to one captain and he was going to ask the Council's approval for an audit of the police department from the DCA for free. Mayor Hipp stated studies performed by private consultants could cost tens of thousands of dollars and it is a time consuming process which are both disadvantages. The Mayor spoke regarding the DPW's proposed garbage process and stated that if the Council wanted to get to a lower increase than the school board budget they would have to do a lot more and do it fast.

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President of the Council – Councilman DeSalvo

Councilman DeSalvo moved to approve the Regular Meeting Minutes of March 16, 2010, seconded by Councilwoman Inguanti. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

Councilman Genovesi left the meeting during this time at 10:00 p.m.

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Councilman DeSalvo moved to approve the Regular Meeting Minutes of March 23, 2010, seconded by Councilwoman Inguanti. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo moved to approve the Special Meeting Minutes of March 11, 2010, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo moved to approve the Closed Meeting Minutes of March 11, 2010, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo moved to approve the Closed Meeting Minutes of March 16a, 2010, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilwoman Birdsall and Councilman DeSalvo voted aye. Councilman Sasso-abstained.

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Councilman DeSalvo moved to approve the Closed Meeting Minutes of March 16b, 2010, seconded by Councilwoman Inguanti. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo moved to approve the Closed Meeting Minutes of March 23, 2010, seconded by Councilwoman Inguanti. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo made a motion to eliminate the position of Plumbing Subcode Official and transfer the duties to the Assistant Construction Official, seconded by Councilwoman Inguanti. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, and Councilman DeSalvo voted aye. Councilwoman Birdsall voted nay.

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Councilman DeSalvo made a motion to authorize the Borough Attorney to prepare a contract for AFSCME-White Collar Union Contract, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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REVIEW OF ADDED ITEMS TO THE AGENDA

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Finance-Payment of bills

Under the Consent Agenda, Councilman DeSalvo made a motion to approve the following Resolution, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

RESOLVED: That bills in the amount of \$2,859,084.79, from the Current Account, 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 made a motion to approve the transfer of \$4,975 to RDP for the exchange account for plaques, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

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WHEREAS a lien on the parcel of property referred to as Block 59, Lot 5, more commonly known as 261 Mortimer Avenue and assessed in the name of Torsiello, M. was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to R. Rothman 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 \$3,184.92 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$4,700.00 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 in the amount of \$7,884.92 made payable to R. Rothman in settlement of Tax Title Lien # 0201016.

Principal.....	\$ 3,090.32
Interest & Penalty.....	\$ 39.60
Fees.....	\$ 55.00
Premium.....	\$ 4,700.00
 TOTAL.....	 \$ 7,884.92

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 7, Lot 24.03, more commonly known as 228 Carmita Avenue and assessed in the name of Eid, Edward & Ghassan was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to 3147, LLC 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 \$9,368.89 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$19,100.00 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 in the amount of \$28,468.89 made payable to 3147, LLC in settlement of Tax Title Lien # 0201002.

Principal.....	\$ 8,958.55
Interest & Penalty.....	\$ 358.34
Fees.....	\$ 52.00
Premium.....	\$19,100.00
 TOTAL.....	 \$ 28,468.89

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 28, Lot 14, more commonly known as 54 West Pierrepont Avenue and assessed in the name of Francese, Luigi was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to R. Rothman 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 \$4,820.75 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$9,600.00 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 in the amount of \$14,420.75 made payable to R. Rothman in settlement of Tax Title Lien # 0201009.

Principal.....	\$ 4,719.55
Interest & Penalty.....	\$ 46.20
Fees.....	\$ 55.00
Premium.....	\$ 9,600.00
 TOTAL.....	 \$ 14,420.75

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 164.02, Lot 1.01, more commonly known as 1 Highfield Lane and assessed in the name of Invest Team, S.A. was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to R. Rothman 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 \$5,518.89 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$1,000.00 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 in the amount of \$6,518.89 made payable to R. Rothman in settlement of Tax Title Lien # 0201034.

Principal.....	\$ 5,377.61
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Interest & Penalty.....\$ 86.28
Fees.....\$ 55.00
Premium.....\$ 1,000.00

TOTAL.....\$6,518.89

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 73, Lot 29, more commonly known as 74 Park Avenue and assessed in the name of Jewel Corp. was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to Marcos A. Suarez, Jr. 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 \$1,354.73 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$4,000.00 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 in the amount of \$5,354.73 made payable to Marcos A. Suarez, Jr. in settlement of Tax Title Lien # 0201017.

Principal.....\$ 1,328.17
Interest & Penalty.....\$ 26.56
Premium.....\$ 4,000.00

TOTAL.....\$5,354.73

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 144, Lot 24.01, more commonly known as 76 E. Passaic Ave Avenue and assessed in the name of Crook, David and Susan M. Albino was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to Albert Cernadas, Jr. 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 \$3,132.60 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$600.00 was deposited in the Premium Trust Account on the day of the sale;

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NOW THEREFORE BE IT RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a warrant made payable to in the amount of \$3,732.60 made payable to Albert Cernadas, Jr. in settlement of Tax Title Lien # 0201027.

Principal.....\$ 3,029.02
Interest & Penalty.....\$ 60.58
Premium.....\$ 600.00
Fees.....\$ 43.00

TOTAL.....\$ 3,732.60

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 144, Lot 24, more commonly known as 106 Orient Way and assessed in the name of Crook, John M. &F.H. was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to R.U. DelVecchio Pension Trust. 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 \$6,839.57 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$1,100.00 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 in the amount of \$7,939.57, made payable to R.U. DelVecchio Pension Trust in settlement of Tax Title Lien # 0201026.

Principal.....\$ 6,727.18
Interest & Penalty.....\$ 112.39
Premium.....\$ 1,100.00

TOTAL.....\$ 7,939.57

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 144, Lot 27, more commonly known as 92 Orient Way and assessed in the name of Crook, John M. &F.H. was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to Rothman Realty Co. Profit Sharing and;

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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 \$7,713.16 has been deposited in the Tax Sale Suspense Account and a check in the amount of \$300.00 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 in the amount of \$8,013.16, made payable to Rothman Realty Co. Profit Sharing in settlement of Tax Title Lien # 0201028.

Principal.....\$ 7,426.14
Interest & Penalty.....\$ 232.02
Fees.....\$ 55.00
Premium.....\$ 300.00

TOTAL.....\$ 8,013.16

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Councilwoman Inguanti made a motion to approve the following tax lien Resolution, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS a lien on the parcel of property referred to as Block 222, Lot 6, more commonly known as 71 Meadow Rd. and assessed in the name of Gorman (Etal/Trustees) Robyn was sold at the Borough's Tax Lien sale on the 15th of March, 2010 to Enabling Investments, LLC 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 \$798.96 has been deposited in the Tax Sale Suspense Account;

NOW THEREFORE BE IT RESOLVED that the Chief Financial Officer be and he is hereby authorized to issue a warrant made payable to in the amount of \$798.96, made payable to Enabling Investments, LLC in settlement of Tax Title Lien # 0201048.

Principal.....\$ 772.69
Interest & Penalty.....\$ 26.27

TOTAL.....\$ 798.96

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CONSENT ITEMS

Under the Consent Agenda, Councilman DeSalvo made a motion to approve the request from the Guardsman of Rutherford for use of the mini-bus on May 19th, seconded

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by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Under the Consent Agenda, Councilman DeSalvo made a motion to approve the request from the Rutherford Veteran's Alliance for use of the mini-bus on April 25th for the Route 3 Bridge dedication ceremony, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Under the Consent Agenda, Councilman DeSalvo made a motion to approve the request from the Rutherford Veteran's Alliance for use of truck for float in the Memorial Day Parade, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Under the Consent Agenda, Councilman DeSalvo made a motion to authorize St. Mary's to hire a contractor for field renovation at Tambyn Field, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Under the Consent Agenda, Councilman DeSalvo made a motion to approve the request for permission to hold the Lindsey Meyer Memorial Pumpkin Run on October 2nd, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Under the Consent Agenda, Councilman DeSalvo made a motion to approve the request from the Passaic Valley Sewer Commission and the Nereid Boat Club to hold the Paddle Relay on May 8th, seconded by Councilwoman Birdsall. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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COMMITTEES:

FINANCE

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Councilwoman Inguanti made a motion to approve the following Resolution for separation of employment agreement with Leslie Shenkler, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilwoman Birdsall and Councilman DeSalvo voted aye; Councilman Sasso voted nay:

WHEREAS, the Governing Body of the Borough of Rutherford had decided to terminate the employment of Borough Administrator Leslie Shenkler; and

WHEREAS, Mr. Shenkler is entitled 15 vacation days and two furlough days and,

WHEREAS, the total of the above vacation days and furlough days is \$7,806.00,

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer be and he is hereby authorized and directed to pay out the sum of \$7,806.00 per pay in each of the succeeding biweekly payrolls.

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Councilwoman Inguanti made a motion to authorize the following Resolution for Tax Assessor and Tax Appeal Counsel to settle appeals under \$7,500, file corrective appeals and sign stipulations to correct any errors or omissions, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS, the Tax Assessor for the Borough of Rutherford will from time to time detect errors or omissions made in computing the tax assessments covering certain properties located within the Borough of Rutherford; and

WHEREAS, notice of errors can also be discovered through property owner's municipal tax appeals process at the County and State level; and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Rutherford to authorize the Tax Assessor and the Tax Appeal Counsel to correct said errors and file appropriate documents as to the same; and

WHEREAS, the Bergen County Board of Taxation and the Tax Court of the State of New Jersey further require Mayor and Council's authorization for its tax Appeal Counsel with consent of the Tax Assessor to settle pending matters; and

WHEREAS, it is in the best interest of all parties involved to amicably resolve municipal tax appeal matters within the guidelines established by the New Jersey Constitution and existing case law; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford, NJ that the Borough of Rutherford Tax Appeal Counsel with consent of the Tax Assessor is hereby authorized to settle pending matters as follows:

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1. The Tax Assessor and the Tax Appeal Counsel for the Borough of Rutherford are hereby authorized to file corrective appeals with the Bergen County Board of Taxation and State tax Court as well as signing Stipulations to correct any errors or omissions related to the Borough of Rutherford.
2. The Tax Assessor and the Tax Appeal Counsel are further hereby authorized to settle any and all pending municipal tax appeals, so long as said municipal tax appeals do not result in a municipal tax refund or no more than \$7,500 tax refunds for the tax year in questions.

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Councilwoman Inguanti moved to approve the following Resolution allowing redemption of unclaimed taxes, seconded Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

WHEREAS, Borough Tax Collector Caryn Miller has advised that a new amendment numbered A-1619 to New Jersey's Tax Sale Law, stipulates that the Tax Collector shall turn over to the General Fund all unclaimed tax sale redemption money more than five years old, and

WHEREAS, the Chief Financial Officer has verified that several old checks remain outstanding on the records of the Chief Financial Officer totaling \$32,520.91 from old unclaimed redemptions and,

WHEREAS, several other old checks dating back to 2008 are still outstanding on the Finance Officer's books,

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and he is hereby authorized and directed to void old current account checks totaling \$36,188.87 and credit Miscellaneous Unanticipated Revenue in the General Ledger

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Councilwoman Inguanti moved to approve the following Resolution requiring members of the Governing Body who receive health benefits to contribute 10%, seconded Councilman DeSalvo.

WHEREAS, the Borough of Rutherford is experiencing an 11% increase in the cost of Health Insurance amounting to \$345,740, and,

WHEREAS, several members of the Governing Body are currently receiving paid health benefits, and

WHEREAS, the Finance Committee is supporting a desire for the Governing Body who receive health benefits to contribute 10% of the costs of their health insurance,

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NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and he is hereby authorized and directed to deduct 10% of the health insurance premiums from the salary of those members of the Governing Body receiving paid medical insurance, effective with the pay of April 29, 2010

Mayor Hipp asked if the statute recently passed already containing a 1.5% contribution, would the 10% be in addition to that. Councilwoman Inguanti responded the aggregate would be 10%.

The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye:

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Councilwoman Inguanti moved to authorize the Borough Attorney to draft an ordinance for fee structure for additional redemption calculation

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POLICE

Councilwoman Birdsall made a motion granting the request from Sgt. Louis Arnold for an unpaid leave of absence, seconded by Councilman DeSalvo. The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo noted that Councilman Genovesi asked they hold the discussions regarding the installation for a cutout on Belford Avenue and the resolution for separation of employment with Kathleen Laudicina.

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PUBLIC WORKS

Councilman DeSalvo made a motion to authorize the Borough Engineer to draft a resolution awarding the Bids A & C of \$67,000 to Poplar Associates, seconded by Councilwoman Inguanti.

Councilman Sasso asked if the engineering cost were included in that amount. Councilman DeSalvo responded that was the cost of the bid not the engineering fees.

The Borough Clerk called the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo spoke regarding the status of the front end loader and held the request for the next meeting.

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Councilman DeSalvo held the reappointment of Harry Tuvel as C-3 Collection System Operator.

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As Liaison to the SHADE TREE COMMITTEE, Councilman DeSalvo noted that the Borough received 187 trees from NJDOT and all were planted.

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As Liaison to the DOWNTOWN PARTNERSHIP, Councilman DeSalvo stated that there was a meeting being held on April 14 to discuss the commercial sanitation schedule and will discuss the issue further at the next Council meeting.

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FIRE

Mayor Hipp stated he met with representatives from Carlstadt and North Arlington concerning a joint application for a federal grant for firefighter equipment and requested a resolution for the next meeting authorizing the Borough to enter into a joint application.

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BUILDINGS & PUBLIC UTILITIES

Councilwoman Birdsall spoke regarding the Route 3 noise wall. Mayor Hipp noted the start date for the noise wall will probably begin late summer. The Borough Clerk stated the Shimul Mehta asked they allow him to speak at the April 27th meeting regarding the noise wall. Issue was held.

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As Liaison to the BOARD OF ADJUSTMENT, Councilwoman Birdsall reminded the Mayor that the Board is still in need of an alternate.

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As Liaison to the BOARD OF AESTHETIC REVIEW, Councilwoman Birdsall announced April 24 - "Clean Rutherford Day"; April 27 at 6:30 p.m. "Arbor Day Celebration";

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Community Garden welcomes volunteers on Saturdays in May and June. The Councilwoman mentioned the concern regarding the empty store fronts on Park Avenue.

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As Liaison to the HISTORIC PRESERVATION COMMITTEE, Councilwoman Birdsall noted there will be a presentation by the NJ Transit on May 3 regarding the train station.

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As Liaison to the WILLIAMS CENTER, Councilwoman Birdsall noted that on May 21 there will be a wine/hors d'oeuvre night.

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As Liaison to the COMMUNITY QUALITY OF LIFE, Councilwoman Birdsall asked all to complete the questionnaires by April 30.

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As Liaison to the GREEN TEAM, Councilwoman Birdsall spoke regarding the energy audit.

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As Liaison to the CITIZEN FORUM, Councilwoman Birdsall noted the follow-up meeting is April 17.

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As Liaison to the WEST END COMMITTEE, Councilwoman Birdsall noted the wine and cheese business card exchange will take place April 20.

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RECREATION

Councilman Sasso recommended the appointment of three seasonal park rangers.

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MAYOR'S AGENDA

Mayor Hipp held his reports for the April 27th meeting.

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APPOINTMENTS

Seasonal Park Rangers:
Anthony Marrone
Mark McPherson
Matthew Gilson

Councilman Sasso made a motion to confirm the appointments, seconded by Councilman DeSalvo. The Borough Clerk read the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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CONSENT AGENDA

Councilman DeSalvo made a motion to pass the items on Consent Agenda, seconded by Councilwoman Birdsall. The Borough Clerk read the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

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Councilman DeSalvo moved to adjourn at 11:00 p.m., seconded by Councilwoman Birdsall. The Borough Clerk read the roll call: Councilwoman Inguanti, Councilman Sasso, Councilwoman Birdsall and Councilman DeSalvo voted aye.

Borough Clerk