

**MINUTES OF A REGULAR MEETING OF THE
MAYOR & COUNCIL
HELD TUESDAY, APRIL 29, 2008**

The meeting was called to order by Mayor Hipp at 8:30 p.m. with the following Councilmembers present:

Councilman Sommer
Councilwoman Keyes
Councilman Genovesi
Councilwoman Inguanti
Councilman Sasso

Councilman Fecanin - Absent

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

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Council President Genovesi read the provisions of the Open Public Meetings Law.

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Mayor Hipp made the following presentations:

- ◇ Art Contest Winners of the "Discover Our Trees 2008"
- ◇ Shade Tree Committee & Board of Aesthetic Review in recognition of Arbor Day
- ◇ Multicultural Festival Day – May 17th

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Councilman Genovesi moved the following Resolution to close the meeting, 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 29, 2008 at 8:57 p.m. in the Committee of the Whole Room to discuss the following matter:

- ◇ Potential litigation regarding Encap

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Councilman Genovesi made a motion to reopen the meeting at 9:35 p.m., seconded by Councilwoman Inguanti with all members present voting aye.

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Mayor Hipp opened the hearing of citizens.

Ed Russo – Trump Organization introduced himself as the person in charge of the remediation project in the Meadowlands. Mr. Russo said he hopes to come to as many of the meetings as he could, not to make speeches but to make himself available to answer any questions they may have publicly, privately, off the record or under oath. He said he has been an appointed or elected official in New Jersey for over 30 years and still serves, taking the same oath as they. Mr. Russo said the hardest thing in his job is not necessarily the remediation but living up to everyone's expectations and he hopes soon they will be able to work together and to do something that is wonderful for the people of Rutherford as well as being environmentally safe and productive to the community. He continued to say that he looked forward to seeing them next Thursday. Mayor Hipp said since he raised the subject, he and Mr. Russo had scheduled a tour of the landfills for May 8th at 3:30 p.m., everybody is invited to attend and more information will be available. Mr. Russo said the press is also invited and anyone else he would like to invite.

Mildred Dyson – 55 Wilson Avenue said that a couple of months ago she asked a question about Tim Stafford's \$8,000 check that was given to him and the Council was supposed to get back to her. Mayor Hipp said they will comment after the closing of the hearing. Ms. Dyson said Mr. Fecanin made a comment about having the building handicap accessible and he said something about the wheelchair lift but not everyone is in a wheelchair.

Chris McCarthy – 364 Orient Way said he came to urge the citizens to get more involved with Encap to write to the EPA, DEP. Mr. McCarthy wanted to know what is going on with Encap.

Fran McCarthy – 364 Orient Way said the whole Encap thing, it was nice that Mr. Russo was there but remediation from the get-go was really not a remediation because the DEP lacks its standards to begin with. Ms. McCarthy said they owe the town money, they should be defaulted, the ridiculous extensions go on and on and it is time for Rutherford to get out of a really terrible contract that they have. She said the audacity of Mr. Trump to threaten them in the papers, that if they don't continue with the deal they had, he would

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build more she found nothing less than offensive. Ms. McCarthy said this is there home and how dare he say if they don't play ball with him, he threatens to harm them, she doesn't understand that. She said honestly can they get out of the agreement and how soon.

Arie Moller – 80 Montross Avenue commended the forum on the budget, he thought it was a good step in opening up the proceedings of the town. Mr. Moller said in two years the taxes on his mortgage have gone up \$400 per month and while he commends the single digits he still thinks there is room for improvement, not from cutting services but doing things in a more creative way. He said he came up with a savings of \$5.4 million; the first is the municipal insurance, if they got together with the surrounding jurisdictions in a municipal pool, it would definitely save money just like car insurance when there is multiple cars you save money with more in the pool. Mr. Moller said estimating they pay about \$1.2 million for insurance premiums, 15% savings would be \$180,000. He said one thing that they have to address the public and private sector there is a real difference in the way people are compensated; now health insurance is 100% covered for municipal employees and continued on retirement and he believes that should be brought in line with the private sector, he pays 40% of his health insurance and he knows a lot of people pay 20-40%, how about 25% co-payment that would be fair. Mr. Moller said the Borough is currently paying \$3.5 million for health insurance not considering people that retire, 20% savings would be \$700,000. He said on the web in Connecticut and Massachusetts which have the a program where municipal clerical positions are being done by seniors in the community for tax abatements in lieu of pay, saving 10% there, medical insurance and other benefits of that respect even paying dollar for dollar in the tax abatement would still be a lot of savings. Mr. Moller said 20% of that would be \$400,000. He said there is talk about changing the phone system for the municipality to standard pbx savings would be about \$50,000 per year, spending about \$100,000 so it would be roughly about half.

Mr. Moller continued to say the biggest one that no one ever wants to talk about; they have a great school system and he is all for paying for the kids of Rutherford to get the best education possible. He said they have a blue ribbon school system that is wonderful, they all know that there is plenty of kids going to the system that should not be going because they are out of district, enrolled illegally and it is done year in and year out and basically it is a crime that is not being prosecuted. Mr. Moller said they should be fined \$13,000 because that is what it costs the taxpayers of the Borough to send a child to the Rutherford school district. He said most places require identification when enrolling which would reduce it by half if they do that and it wouldn't cost a dime but a savings of \$3 million. Mr. Moller said the Police Director is chump change compared to that savings and it is really something that should be looked at.

Frank Wilson – 171 Montross Avenue said he had three questions for Mr. Sasso regarding the Recreation Director; is it a person from town that is being hired and if not was there any residents that submitted resumes and were they qualified or not? Mr. Wilson said next with the open Government that the present administration has, shouldn't residents be entitled to see the persons resume before the Council votes on it so he could see the persons qualifications being that they are dealing with children? He said that they are a new employee, are they getting a car or payment in lieu of or something like that

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where some of the employees have cars that they can use for stuff within the Borough walls; do they have to get another vehicle?

Susan Muller – 29 Feronia Way said her feelings with Encap are more on an emotional level because of all the newspaper articles and she wished Mr. Russo was there because one of the things about that the papers is that the citizens are heard, it is all about Mr. Trump. Ms. Muller said she gets sick when reading the papers about what is happening and she knows what the Mayor's feelings are for it and what his objective is and she knows that the Council doesn't want to see what is coming down the road happen at Encap. Ms. Muller said she moved back three years ago and she just can't believe how the town has really gone down hill, she knows that there is change coming and being patient, that is why they elected all of them maybe not all but some.

She said the train station is another issue, her great-grandfather had an ice-house down there. She mentioned the station at last meeting and she still hasn't gotten an answer. Ms. Muller said Councilwoman Keyes didn't hear her last time so to be really clear there is plywood on the door and her friend sent her an email stating that the capital appropriations down in Trenton are probably going to get cut, they are being axed everywhere across the State. Ms. Muller asked if the train station project is going to be axed? She said one of the things about the aesthetics, the cobble stone is still where it was. Ms. Muller said Mr. Seidler was talking about it at the last work session still nothing has happened and it makes her want to jump out of her car and fix it, it is insane. She said the plywood on the door is awful and if they want to bring people into the town of Rutherford but everywhere they look there is litter, it is not the way it used to be, people do not take pride in the town anymore, it is up to the Council and Mayor to help move that. Ms. Muller said her cousin is the Mayor of Carlstadt, that town has pride up and down, everywhere they go though it is a small town but people take pride in their town and she would love to see that in Rutherford. She would like that to come back to Rutherford and she knows that they are all working very hard and there are a lot of disputes and arguments but can't they all get along because they are all there for the same reason. Ms. Muller asked they all need to look at it objectively, they all live in town and she hopes that they look at those things with an open eye. She said Encap is a big thing and for the train station paint the plywood black just do something with it, it is ugly.

As no other citizens wished to speak, Mayor Hipp opened the hearing to the Council.

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Councilman Genovesi said he was the one who told Ms. Dyson he would update her on the question regarding the \$8,000 to Mr. Stafford when the information could be released and it is still not able to be released but he promised to knock on her door as soon as he can. He said for the handicap accessibility into the building he is actually checking on that and something that the Mayor gave him authorization to do and to look at the different avenue they could take and some ideas they could come up with to make it easier and hopefully he will have an answer by the next meeting.

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Councilman Genovesi said to Mr. Moller, he loves it when people come up with creative ideas, offer suggestions and in all fairness he didn't know whether Mr. Moller was addressing the Mayor and/or Council because it didn't seem like he was talking to all of them. He said he didn't know who he was presenting it to but as a point he would like to make to Mr. Moller's handout, the restrictive liquor license ordinance had as fair market value of \$100,000 the Council did sell one last year. Councilwoman Keyes said there was one license sold in 2006 for \$600,000. Councilman Genovesi said he would look it over but he is personally against having alcohol licenses in the Borough of Rutherford, he doesn't think they belong on Park Avenue if a franchise wanted to come in on the opposite side of Route 17 that he voted in favor of last year but in Rutherford proper he would never want to see alcohol.

Councilman Sommer said in regards to an item Mr. Moller brought up, they are all aware there was an election recently voting for a school budget, they elected school board members. He said his children have all gone through the school system and one is still there, he thinks the system is fantastic and it should be kept as high a caliber as possible. Councilman Sommer said everyone needs to be watched, to be looked over and it troubles him if they look in the paper that 2/3 of the taxes are related to the school budget. He said the municipal budget as a reminder is not even a 1/3 it is less than a 1/3, yet they get 803 people from town voted on and approved the school budget. Councilman Sommer said there were 8,000 people who came to the polls to vote on the Councilmembers and with that approximately 27% of the municipal budget. He said that is troublesome to him, he doesn't understand it, he rather see more people out there voting. Councilman Sommer said he doesn't want teacher strikes because they all do excellent jobs but just as the residents look over the municipal budget they all need to do that same with such a huge portion being the school budget.

Councilman Sommer said in regards to Susan Muller's request to paint the wood black, they will be hearing more about the station and the funding and it will be good news. He said they had Keep Rutherford Clean Day on April 26th and everyone was invited to come, they advertised it with 50 people coming out and collected over 40 bags of garbage around town. Councilman Sommer said that shows volunteerism that people gave up their time to help the town.

Councilwoman Inguanti said to Ms. Dyson's comments regarding the wheelchair lift one of the capital improvement projects they are planning and one of things that became evident is that they had a grant for a handicap accessibility under the previous administration they conducted a study of the Borough buildings and the Borough Planner is working on evaluated that study and the plans that were preliminary to improve the handicap access to the building. She said they are working on it and are trying to make some quick modest improvements to the lift to make it more user friendly. Councilwoman Inguanti said in response to Mr. Moller, she is meeting about the phone system next week in conjunction with the Borough Engineer and they are looking at a potential change in service for that and she will conference him in if he would like. She said with issue to the schools that is something that the School Board does have some authority to look into and she knows they have done that in the past and she believes they do check on but that would be an issue to bring to the School Board to satisfy his curiosity. Councilwoman

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Inguanti said with the insurance they do belong to the Southern Bergen County Joint Municipal Insurance Fund and they do realize a substantial savings from that and some of the issues with employee benefits, they are contractual issues that they are presently negotiating. She told Mr. Moller that she always appreciates this presentations they are very thoughtful and thorough and she will look at it in further discussions.

Councilman Sasso said to Mr. Moller it seems that he does a lot of research, a few weeks back he gave one on the Board of Adjustments with some recommendations for them. He said one thing with the school elections nobody ever says lets make all elections the same day to save the municipality money, the State or Federal just something to put out there. Councilman Sasso said they need to try to find where he could help in getting some of those ideas actually implemented and how can they get his expertise or background to help out the Borough. Councilman Sasso said in response to Mr. Wilson's questions there was an extensive search for the Recreation Director; one that took multiple months, one that was started in August, 2007, they interviewed approximately 14 people. He said the candidate that was selected by the Council, was the best and most qualified person, as far as the background with children in talking with Denise, she is an exceptionally qualified person who is a Recreation Director at a different town, she has extensive years and has been there a while. Councilman Sasso said she has a lot of the things that they would want in a Rec. Director, involved with the children, recreation programs, parades, events and more. He said the request to see the resume, he doesn't see why Mr. Wilson would be qualified to interview the person, he doesn't see why but her resume and other persons' resumes were in Borough Hall. Councilman Sasso said she is not getting a car. He continued to say that the Department has done a great job without a Director for such a long time.

Councilwoman Keyes said to Ms. Muller the statement made about a lot of fighting going on in the Council, she has heard that around town and wanted to say the Council works very well together. Councilwoman Keyes said there is not fighting among them, they might disagree on things.

Mayor Hipp said they will be making an appointment tonight with the approval of the Council for Denise Brennan and she has experience in the areas that they are looking at and they believe are valuable and important. The Mayor said under the Open Public Records Act, resumes would be available. The Borough Attorney said that releasing the resume of the candidate that has been selected is fine, the other candidates no. Mayor Hipp said he believes a worthy search was conducted, she is going to work out fine and he will be pleased to make that appointment later.

The Mayor asked Mr. Moller if he would like to serve on the Citizens Advisory Committee on Finances, he would make that appointment and he believes his input would be valuable and that Mr. Moller would be a great addition.

Mayor Hipp said to Mr. & Mrs. McCarthy, they will be discussing Encap later in connection with something the Council has authorized. The Mayor said it is going to be a battle, anybody who has dealt with Mr. Trump has had that experience, he believes it is Mr. Murphy in Scotland who is still battling over a golf course. Mayor Hipp said they

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remain committed to their position, being the agreements should be terminated, the bond from AIG should be called and that money of \$149 million be used to clean up the dumps. The Mayor said after those dumps have been satisfactorily cleaned up they can get together to decide what they want to do with the land and discussions about housing, golf courses and big developments should wait getting the first part done right the second time around. Mayor Hipp said they need to stop focusing on development and start on clean up and he believes that was the mistake that was made in the sad tale and when they met with the Governor two weeks ago everyone was on that page and he hopes they continue to be. The Mayor said the status is on April 18th a budget was submitted, a meeting last Friday with Mr. Trump and his representatives with the Governor and his representatives concerning the details. Mayor Hipp said the State is analyzing the budget submission, the second deadline is May 9th and that is the end of the extension period, the Trump Organization on behalf of Encap has requested an additional 180 days and they opposed that. The Mayor said they will be asking for meetings with the Governor's Office with the other two communities, the Meadowlands Commission before that deadline expires to discuss exactly what should be done. Mayor Hipp said nothing is going to happen to the end of the extension period but they believe it is a better approach to use the bond money as opposed to a combination of public and private funds to clean up the landfills and to do the development. The Mayor said they will continue to make periodic updates.

Mayor Hipp said in respect to the train station, he has good news DOT and Transit are going to begin construction on the exterior at the end of June or beginning of July. The Mayor said they have asked for a survey and questionnaire to be answered, they have referred it to Rod Leith as the Chairperson of the Historic Preservation Committee because it being a historic building and he has submitted his response. Mayor Hipp said the money is in the bank and the interior will occur thereafter. The Mayor said he doesn't know what to say about the plywood board but he is hoping that is part of the exterior renovations as opposed to the interior renovations so it will be handled fast. Mayor Hipp said they will proceed this summer.

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Councilman Genovesi made a motion to move that all the items on the Consent Agenda be passed, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved approval of the Minutes of the Regular Meeting of March 25, 2008, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved approval of the Minutes of the Special Meeting of March 4, 2008, seconded by Councilman Sommer with all members present voting aye.

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Councilman Genovesi said in regards to Encap, he agrees with Mayor Hipp that negotiating with Trump is going to be difficult given the fact that the financial agreement should be done away with. He said agrees with Ms. McCarthy and read the same article she did but he wasn't threatened by Mr. Trump's words and neither was he impressed with them. Councilman Genovesi continued that he has been against residential high-density development and remain against it which will probably not be a good thing in Mr. Trump's opinion.

Councilman Genovesi said they met with Counsel Joseph Maraziti and the Council gave consent to authorize Mr. Maraziti to send a letter to Michael Cohen, Project Manager of the Encap Golf Project and Trump Organization regarding the financial agreement and the letter will be made available to the public the following day.

Councilman Genovesi made a motion to authorize Joseph Maraziti to send a letter regarding the financial agreement to Michael Cohen, seconded by Councilman Sommer with all members present voting aye.

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4/15 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

RESOLVED: That bills in the amount of \$1,174,283.29 payable from the Current Account and \$1,600.00 from the Multicultural 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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4/15 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

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

1. In the amounts of \$25.00 payable to each member of the girls 5th/6th grade traveling basketball team – refund for uniform deposit.
2. In the amounts of \$25.00 payable to each member of the girls 7th grade traveling basketball team – refund for uniform deposit.
3. In the amounts of \$25.00 payable to each member of the girls 8th grade traveling basketball team – refund for uniform deposit.

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4. In the amounts of \$25.00 payable to each member of the boys 8th grade traveling basketball team – refund for uniform deposit.
5. In the amounts of \$25.00 payable to each member of the boys 4th grade traveling basketball team – refund for uniform deposit.
6. In the amounts of \$25.00 payable to each member of the boys 5th grade traveling basketball team – refund for uniform deposit.
7. In the amounts of \$25.00 payable to each member of the wrestling team – refund for uniform deposit.
8. In the amounts of \$25.00 payable to each member of the boys 7th grade traveling basketball team – refund for uniform deposit.
9. In the amounts of \$25.00 payable to each member of the boys 6th grade traveling basketball team – refund for uniform deposit.
10. In the amount of \$30.00 payable to Binal Shah – refund for track.
11. In the amount of \$4,660.00 payable to Friends of Rutherford Soccer – payment for travel soccer referees.
12. In the amount of \$30.00 payable to Linda Lauf – refund for track and field.
13. In the amount of \$50.00 payable to Ben Kitzmann – refund for dance.
14. In the amount of \$30.00 payable to Amy Murphy – refund girls softball.
15. In the amount of \$30.00 payable to Ellen Goldy – refund for track & field.
16. In the amount of \$300.00 payable to Mark Hartnett – refund for men's softball.
17. In the amount of \$1,200.00 payable to Rutherford Post Office – payment for mailing Seasonal Brochure.
18. In the amount of \$175.00 payable to US Postal Service – payment for renewal of bulk mailing permit #392.
19. In the amount of \$3,866.00 payable to Theatre Direct International – payment for Broadway Tickets.

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilman Sommer with all members present voting aye:

RESOLVED: That the following warrants be issued in the amount indicated for 2008 Police clothing allowance (list attached) as per PBA contract; and

40 Police personnel	@ \$650.00	\$ 26,000
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And as per contract with Local 2420, the following clothing allowance shall be paid in the amount indicated:

1 Parking Enforcement Officer – Barbara Wootton	\$ 525.00
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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilman Sommer with all members present voting aye:

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RESOLVED: That bills in the amount of \$5,444,627.67 and \$10,332.69 payable from the Current Account and \$807.32 from the Multicultural 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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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilman Sommer with all members present voting aye:

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

1. In the amount of \$40.00 payable to Gary Decker – payment for refund of Girls Softball.
2. In the amount of \$25.00 payable to Julie Battaglia – payment for refund of basketball uniform.
3. In the amount of \$25.00 payable to Anna Lara – payment for refund of basketball uniform.
4. In the amount of \$25.00 payable to Lorena Munoz – payment for refund of basketball uniform.
5. In the amount of \$25.00 payable to Samuel Rosario – payment for refund of basketball uniform.
6. In the amount of \$25.00 payable to Nancy Dietz – payment for refund of basketball uniform.
7. In the amount of \$25.00 payable to Cabrini Howell – payment for refund of basketball uniform.
8. In the amount of \$25.00 payable to Tracey Carey – payment for refund of basketball uniform.
9. In the amount of \$25.00 payable to Rosemarie Zembryski – payment for refund of basketball uniform.
10. In the amount of \$30.00 payable to Elizabeth Gilmore – refund for Track & Field.
11. In the amount of \$60.00 payable to Tanya Maczko– payment for refund of girls softball.
12. In the amount of \$30.00 payable to Children’s Aid & Family Services – payment for a class for Preschool Teacher Laura Ward.
13. In the amount of \$1,400.00 payable to McCabe Environmental – payment for Preschool license renewal Tamblyn Field.
14. In the amount of \$525.00 payable to Glenn Lanzi – payment for banner for Multi Cultural Event charged to such account.

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For, **FINANCE**, Councilwoman Inguanti reported last month working with Department Heads she intends to establish framework that will assist the Governing Body as they determine the most beneficial and important capital improvement project to undertake in the coming months. Councilwoman Inguanti said an important benefit to the process is several lingering issues that could have prevented the Borough's successful application for grants have been identified and are being dealt with by the Borough Engineer/Planner Berge Tombalakian who contacted the DOT and DCA to determine exactly what paperwork is required and in what areas the Borough is deficient. Councilwoman Inguanti said the deficiencies are related to various grants that go back as far as 2003. She said with the assistance of the Borough Clerk and CFO, Mr. Tombalakian has put together a paper trail and is clearing out the old accounts so they can apply for grants for additional improvement projects with no strikes against them. Councilwoman Inguanti said the DOT is looking very closely at unexpended loans or grants that they have given to municipalities to make sure that there is a plan for these monies going ahead.

Councilwoman Inguanti stated to aid the Governing Bodies ability to monitor Borough expenses, the CFO has created a more detailed voucher report and provided a report detailing any areas where he is concerned that they may be in danger of spending more than they have budgeted. She said the Borough legal fees are greater than anticipated; in March she asked Sen. Sarlo to look into the creation of a legal defense fund for the Borough in regards to the Encap development and she will continue to fight aggressively for such. Councilwoman Inguanti said regarding gasoline prices in the budget, the CFO is monitoring closely with now 33% of the year gone they have expended approximately 40% of the gas budget, they are examining several areas to cut in order to provide a savings. She said the NJ Meadowlands Commission is offering the Borough \$20,000 towards the purchase of a hybrid car and further research needs to be done to determine which department could best utilize a hybrid vehicle. Councilwoman Inguanti said though the CFO always had a running report detailing the expenses, this year versus last year she has asked at the request of Councilmen Sommer and Sasso that he provide that information to her in a format so she could bring it to the Council and they can make decisions based on that in a more timely fashion.

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Mayor Hipp opened the hearing of citizens for the 2008 municipal budget, as no one wished to speak the hearing was closed.

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Councilwoman Inguanti said in regards to the report on capital improvement priority list and the creation of the Technology Committee they are working to get that finalized. She said the committee will provide an assessment of the overall needs of the Borough's computer needs.

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Under consent, Councilman Genovesi moved to approve the payment of \$250 as a sponsorship fee to Felician College for the Founder Day's Dinner, seconded by Councilman Sommer with all members present voting aye.

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As Liaison to the ENVIRONMENTAL IMPACT & RECYCLING COMMITTEE, Councilwoman Inguanti reported that NJ Dept. of Environmental Protection has awarded the Borough \$17,379.83 from the 2008 Clean Communities Funding which will be put together for good use.

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Councilwoman Inguanti state that the New Jersey Meadowlands Commission is going to pay for the Borough's entry into the ICLEI Organization. Mayor Hipp explained that the resolution is to join the International Council for Local Environment Initiatives which is a resource that the community can use in connection with areas of greenhouse gas reduction, alternative and sustainable energy forms and related matters which the Mayor and Council are looking into. The Mayor said in order to get a handle on the budget, they need to look into ways of generating revenues through waste and in decreasing substantially their reliance on utilities. Mayor Hipp said Mr. Moller mentioned the telephone expense and they are looking into that, now they are spending approximately \$400,000 on electric and utility cost. The Mayor said membership in the organization brings them closer together with other communities in the Meadowlands Commission and provides a resource tool for the Recycling and Environmental Committee which is headed by Sharon DelVecchio giving them an information tool to help them plan better going forward. Mayor Hipp said since the cost of the membership is being carried by the Meadowlands Commission it is basically free information with 6,000 municipalities across the United States belonging to it; the Conference of Mayors highly recommends that communities join. The Mayor said he highly recommends the Council adopts the resolution considering it is another \$600 they are getting out of the Meadowlands Commission.

Councilwoman Inguanti made a motion to accept the following Resolution, seconded by Councilwoman Keyes with all members present voting aye.

WHEREAS, energy consumption, specifically the burning of fossil fuels, accounts for more than 80% of U.S. greenhouse gas emissions; and

WHEREAS, local government actions taken to reduce greenhouse gas emissions and increase energy efficiency provide multiple local benefits by decreasing air pollution, creating jobs, reducing energy expenditures, and saving money for the local government, its businesses, and its residents; and

WHEREAS, the Cities for Climate Protection Campaign sponsored by ICLEI-Local Governments for Sustainability has invited the Borough of Rutherford to join ICLEI and become a partner in the Cities for Climate Protection Campaign;

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WHEREAS, the New Jersey Meadowlands Commission has agreed to pay the annual membership fee of \$600.00 on behalf of the Borough's membership in the ICLEI-Local Governments for Sustainability;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Rutherford that the Borough of Rutherford, County of Bergen, State of New Jersey, will join ICLEI as a Full Member and participate in the Cities for Climate Protection Campaign and, as a participant, pledges to take a leadership role in promoting public awareness about the causes and impacts of climate change.

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For **POLICE**, Councilman Genovesi stated that the monthly report for the Police Department is on file in the Borough Clerk's Office.

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Under the Consent Agenda, Councilman Genovesi moved to accept renewal of seven taxi cab licenses, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved to accept the request to close the northern end of Darwin Avenue for the PBA Picnic on June 21, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved to accept the request from the Rutherford Veteran's Alliance to sell poppies, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved to accept the following Resolution, seconded by Councilman Sommer with all members present voting aye:

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

NOW, THEREFORE, BE IT RESOLVED that License be issued to:

**Meadowlands Museum
Rutherford Congregational Church**

**Draw Raffle
Off Premise 50/50 Raffle**

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Under the Consent Agenda, Councilman Genovesi moved to accept the request for a block party on May 25th on Montross Avenue, seconded by Councilman Sommer with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved the following resolution to accept the agreement from the DOT for Police Traffic Directors during construction, seconded by Councilman Sommer with all members present voting aye:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND BOROUGH OF RUTHERFORD

WHEREAS, the State of New Jersey intends to construct the Route 17 Bergen County Intersections Project within the Borough of Rutherford; and

WHEREAS, the project proposed by the State of New Jersey Department Transportation may require the use of municipal police for work zone safety operations supplementing the traffic control plan established under the contract for construction of the project; and

WHEREAS, the State of New Jersey Department of Transportation has requested that the Borough of Rutherford enter into a Police Agreement and Statement of Costs for Traffic Directors. The costs incurred by the Borough of Rutherford Police in connection with the project shall be paid directly to the Borough of Rutherford by the State of New Jersey Department of Transportation pursuant to an agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Committee of the Borough of Rutherford, in the County of Bergen and the State of New Jersey, that Mayor John F. Hipp and the Borough Clerk are hereby authorized to execute the agreement between the State of New Jersey Department of Transportation and the Borough of Rutherford of costs incurred on the Route 17 Bergen County Intersections Project for municipal police services in the form attached hereto.

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Under the Consent Agenda, Councilman Genovesi made a motion to request the Borough Attorney draft ordinances: to add College Place to the alternate side; install handicap space on 191 Santiago Avenue; install bus stop on Union Avenue at the intersection of Chestnut Street, seconded by Councilman Sommer with all members present voting aye.

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As Liaison to the OFFICE OF EMERGENCY MANAGEMENT Councilman Genovesi stated that Peter Parisi, OEM Coordinator attended the Emergency Management Workshop on the 25th, February 14th he attended the monthly Bergen County Civil Defense, February 19th the New Jersey Meadowlands Commission, February 26th Storm Scenario Instruction Lesson at Pierrepont School, March 5th Dundee Dam Emergency Action Plan, March 12th in Paramus for the Regional Evacuation Planning, March 19th Bergen County Police, March 26th Community Emergency Response Team. Councilman Genovesi said he would get April's activities from Mr. Parisi if so needed.

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Councilman Genovesi said the Council discussed televising the Mayor and Council meetings for the many residents who can not make the meetings during the evening. He said he ask the Council for their consent to looking into such a little more deeply, possibly talking with organizations around town to see what the feasibility would be.

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For **PUBLIC WORKS**, Councilman Sommer reported that they are moving diligently with the Rutherford Downtown Partnership and the DPW on lighting to make the passageway between the Kip Garage and tunnel safer. He said the DPW has already power washed the tunnel and will continue on a monthly basis; they will be painting a walk way between the Garage and they plan on installing cameras which will be viewable at the Police Station to ensure people's safety. Councilman Sommer said they will also be installing a camera to watch over the gazebo.

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Councilman Sommer announced that the NJDOT has applications available for municipal aid, bikeway, centers of place, historic bridge and safe streets to transit program and the deadline is for June 20th.

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Under the Consent Agenda, Councilman Genovesi moved to authorize the Borough Attorney to draft an ordinance regarding a sewer amendment, seconded by Councilman Sommer will all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved to accept the request for the Kip Center to use the mini-bus to a trip on May 14th, seconded by Councilman Sommer will all members present voting aye.

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As Liaison to the DOWNTOWN PARTNERSHIP, Councilman Sommer announced that five new businesses have opened in the area, nine businesses are participating in the Art Association program where they will distribute and have art work for sale. He said there are many events up coming and that takes a lot of activity to work correctly. Councilman Sommer said there will be two chess tables installed by the gazebo in Lincoln Park.

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For **FIRE**, Councilwoman Keyes reported that there were 45 incidents; 1 structural fire; 20 false alarms; 249 total man-hours; 147 incidents year to date.

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Under the Consent Agenda, Councilman Genovesi moved to accept the request for the town-wide garage to take place on September 27, seconded by Councilman Sommer with all members present voting aye.

Councilwoman Keyes announced for those who wish to participate to contact the Ladies Auxiliary.

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Under the Consent Agenda, Councilman Genovesi moved to accept the resignation of Dominick Pisciotta from Fire Co. #1, seconded by Councilman Sommer with all members present voting aye.

Councilwoman Keyes said that in regards to the fire department members, they like most organizations, have regulations that must adhere to and in that regard they have had to remove one of the volunteers because they did not adhere to the rules and regulations and were given a suspension and again they did not adhere so they were then removed from the fire department. She said the Rutherford Fire Department really takes very seriously the role they play for the community and for that they are gratefully to them.

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As liaison to COMMUNITY DEVELOPMENT, Councilwoman Keyes announced that applications are available from the Bergen County Community Development for the Open Space Municipal Park Improvement Program.

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As liaison to the HEALTH DEPARTMENT, Councilwoman Keyes reminded all to be aware of stagnant water because it is the time of year for the West Nile Vile. She said there will be a skin screening on May 21 at the Health Department.

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As liaison to the HISTORIC PRESERVATION, Councilwoman Keyes said there will be a recommendation for an award of contract for the relocation of the Hunt's Stable Horse Elevator for which there were three bids received.

Councilwoman Keyes made a motion to accept the award of contract to **American Steel Erectors** for the relocation of the Hunt's Stable Horse Elevator in the amount of \$,7000.00, seconded by Councilman Sommer with all members present voting aye.

Councilwoman Keyes moved to accept with regret the resignation of Angelo Biviano from the Historic Preservation Committee, seconded by Councilman Sommer with all members present voting aye.

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Councilwoman Keyes announced they have been awarded the grant for the WWI monument a matching grant and they are looking for the certification of funds.

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Councilwoman Keyes said they are searching for the next commemorative ornament for the 2008 with a decision coming within the next month or two.

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For **BUILDINGS & PUBLIC UTILITIES**, Councilman Fecanin was absent.

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For **HUMAN RESOURCES**, Councilman Sasso reported that on April 5 there was a volunteer clean up day involving the Board of Aesthetics, Boy Scouts, Girl Scouts who volunteered to lay down mulch throughout the playground areas in the town. He said on April 15th the Little League/Girls Softball Parade took place. Councilman Sasso wanted it noted that the residents have concerns about the construction at the tennis courts, they request that the debris be removed that is currently around the outskirts of the courts and the proper Borough Officials have been notified who will be examining the concerns.

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4/15 Under the Consent Agenda, Councilman Genovesi requested the appointment of Mary Lawrence as Camp Director and Justin Mohajer as Park Ranger.

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Under the Consent Agenda, Councilman Genovesi moved to approve the award of contract to **Garden State Fireworks** for the 4th of July fireworks, seconded by Councilman Sommer with all members present voting aye.

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4/15 Under the Consent Agenda, Councilman Genovesi moved to accept the request to hold the Stephanie Sloan Tournament on June 27, seconded by Councilwoman Inguanti with all members present voting aye.

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As Liaison to the BOARD OF ADJUSTMENT, Councilman Sasso announced notice to property owners for a variance sign at the Living Gospel Baptist Church.

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Under the Consent Agenda, Councilman Genovesi moved to accept the resignation from Keri Bennett from the Civil Rights Commission, seconded by Councilman Sommer with all members present voting aye.

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As Liaison to the BOARD OF EDUCATION, Councilman Sasso announced the school budget was approved on April 15th and three members were reelected to the Board.

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MAYOR'S COMMITTEE REPORT

Mayor Hipp reported that they will be drafting the real estate sign ordinance and will be sending it to the various Departments and members of the Meadowlands Chamber for their review. The Mayor said he hopes to have in the Council's packet for the May meeting. Mayor Hipp said he had a meeting with the members of the Meadowlands Chamber along with Capt. Egbert, John Uhl and others for initial discussions and they hope to have it wrapped up by May.

Mayor Hipp said with Encap, in an effort to educate people as to what they are talking about, he thought it would be appropriate to schedule with Mr. Russo a time to visit the landfills and that is May 8th at 3:30. The Mayor said after the initial visit they may schedule more visits and more information will be available to the public but specifically they are inviting all members of the Council, members of the Planning Board and members of the public. Mayor Hipp said there are three rotations, Rutherford East, Rutherford West and the Northern Node and with this visit they can all see what has been done, what needs to be done and get some idea of the cost. The Mayor said notwithstanding of Mr. Russo as associated with Mr. Trump, as of then that is the entity that is doing whatever cleanup is taking place so he believes it to be appropriate to schedule this.

Mayoral Appointments:

Mayor Hipp asked for confirmation of John Thompson as Police Director to take effect on May 5, 2008. The Mayor said in making the appointment he had the benefit of review by Councilman Genovesi and Councilwoman Inguanti who have made the recommendation. Mayor Hipp said a question arose regarding Mr. Thompson's legibility to be rehired, as some may know he retired from the Rutherford Police Department and entered into memorandum of agreement. The Mayor said that agreement made some restrictions on his ability to seek re-employment with the Town, however, those restrictions were basically limited to the compensation which would trigger pension payments. Mayor Hipp said under the ordinance Mr. Thompson would receive no pension benefits with the salary he receives making him eligible to serve as Police Director nor will he receive medical benefits.

Mayor Hipp appointed **John Thompson as Police Director**. Confirmation made by Councilman Genovesi, seconded by Councilwoman Inguanti with Councilman Sommer, Councilman Genovesi, Councilwoman Inguanti voting yes, Councilwoman Keyes voting no; Councilman Sasso abstained.

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Mayor Hipp appointed **Denise Brennan as Recreation Director**. Confirmation was made by Councilman Sasso, seconded by Councilman Sommer with Councilman Sommer, Councilwoman Keyes, Councilwoman Inguanti and Councilman Sasso voting aye and Councilman Genovesi abstained.

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4/15 Under the Consent Agenda, Mayor Hipp appointed **Mary Lawrence as Day Camp Director**. Confirmation moved by Councilman Genovesi, seconded by Councilwoman Inguanti with all members present voting aye.

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4/15 Under the Consent Agenda, Mayor Hipp appointed **Justin Mohajer** as a seasonal Park Ranger. Confirmation moved by Councilman Genovesi, seconded by Councilwoman Inguanti with all members present voting aye.

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Mayor Hipp appointed Lazzaro **DeGennaro as a Substitute Park Ranger**. Confirmation moved by Councilwoman Keyes, seconded by Councilman Sommer with all members present voting aye.

Youth Advisory Committee

Michael McGarry
Councilwoman Inguanti

Shade Tree Committee

John Hughes
Richard Roberts

Recreation Advisory Committee

Helen Schneider

Bergen County Film Commission

Councilwoman Inguanti, Liaison

Citizens Finance Committee

Arie Moller

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Mayor Hipp asked the Council to move to accept change orders for the Library HVAC in the amount \$30,122.85 and \$744.18 and that he be authorized to sign the acceptance agreement for the heating system and the Council authorize a settlement agreement with CMX in the amount of \$14,510.06 subject to approval of the Borough Attorney as form.

Councilman Genovesi made a motion to confirm the acceptance of the change orders for the Library HVAC, seconded by Councilwoman Keyes.

Councilman Genovesi said he made the motion to advance the library because it is important to finish and that it is up and running at full capacity to serve the residents. He said it is a very important civic building and he will not stand in the way of the work getting done but he will be abstaining on the vote.

Upon roll call Councilman Sommer, Councilwoman Keyes, Councilwoman Inguanti, Councilman Sasso voting aye and Councilman Genovesi abstained.

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ORDINANCES – 1st READING

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Councilman Genovesi said under capital ordinances it is the same ordinance that was up for first reading on March 25, the Automated Fingerprint Identification System. He said the machine enables the Police Dept. to scan fingerprints and through that scan the PD server is connected to various State Agencies, Bergen County, New Jersey State Police, FBI, NCIS and a match is able to be made if the person in question has had a criminal history and has been fingerprinted in the past. Councilman Genovesi said at the last meeting he believes some of his colleagues felt he went into to far of an explanation for the system, at this point he has explained it pretty thoroughly. Councilman Genovesi said he just wanted to touch on a few things because he knows the time is late in the night but a few key things he feels are important and why he asked for their support. He said on March 25 they talked about what could have happened in 2005 had they had the machine, an innocent person would not have been taken out of their home unjustly rather their fingerprint would have been scanned and within 10-20 minutes a negative result would have came back in which a positive hit was not made meaning she was not the person that they were looking for. Councilman Genovesi said the person they were looking for was a wanted person and their fingerprints were in the system and within 20 minutes the entire situation could have been taken care of. He said not to get into the right and wrong of that evening, he is not saying anybody did anything correct or that anybody did anything wrong he is saying with that machinery the entire situation could have been avoided. Councilman Genovesi said the ramifications of that evening were the damage done to an innocent resident's persona themselves and their family; damage done to the Police Dept. and four officer's and damage done to the Borough and its residents. He asked for support in the measure so they could get the equipment and get the proper training and procedures in place so that the Police Dept. can use the machine as part of their every day protocol and they have a list of procedures and guidelines that would put the machine in place and help prevent it from happening in the future. Councilman Genovesi said on March 25 the Ordinance called for about \$31,700 in expenditures; since that meeting the Police Dept. and he met, spoke with the Mayor and they reduced that number to \$27,695 reason being in the original plan there were two AFIS devices. He said one would be stationary in the headquarters and the other mobile; at such time they are going to forego the mobile device and the cost of the device is \$4,000; so they are left with the Automated Fingerprint Identification System the one stationary unit housed in the Police Dept. and the second item is a listening device which fits in the back of a cell phone and helps the Police Dept. on their drug raids and prostitution ring busts and things of that nature that bring in forfeiture money for the Department.

For **Ordinance on First Reading**, Councilman Genovesi asked the Clerk to read by title only the ordinance.

The Clerk read the Ordinance by title only as follows: **CAPITAL ORDINANCE TO APPROPRIATE THE SUM OF \$27,695 FOR POLICE DEPARTMENT AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM AND LISTENING DEVICE, AN IMPROVEMENT IN, BY AND FOR THE BOROUGH RUTHERFORD, IN THE COUNTY OF BERGEN, NEW JERSEY AND TO TRANSFER UNEXPENDED BOND ORDINANCE BALANCES AND REAPPROPRIATED SAME TO FINANCE SUCH APPROPRIATION.**

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Mayor Hipp opened the Ordinance for discussion.

Councilman Sommer said he totally supports the appropriation of the Fingerprint Identification System, he just wished the Council President had stopped at that point because it pains him to have to say again they need to do two things; not be political and not rewrite history. He said they run into problems when they rewrite history, it was public record that long before that evening in 2005, two of the officers were asked by the bounty hunter, they were shown a picture that was a xerox of a fax of a blurry imagine and asked what they thought. He said at that point and time if common sense won't arise to say maybe they don't know, maybe they should call back or get more information, he doesn't think they would have needed to go to a fingerprint to raise a question as to whether that individual was the individual in question. Councilman Sommer said he strongly objects tonight to having brought that into play, they didn't need to do that, and he is sorry it happened and he fully supports the machine.

Councilwoman Keyes said she also supports the ordinance going forward. She said she was once stated in the newspaper that she looked through rose-colored glasses at things; she feels that it is outrageous to think or say that AFIS machine would have stopped what happened that night. Councilwoman Keyes said her second comment which Councilwoman Inguanti clarified but in case someone else has any questions about it, on the ordinance there is an appropriation of funds taken from Sunset Park improvements to appropriate the money for the device but is only \$27,000 and there is sufficient funds for the improvement on Sunset Park.

Mayor Hipp said he believes that standing along the AFIS system may not have prevented what happened to Claudia Santana in July of 2005, but he thinks that going forward if also there is a place an Ordinance or some type of procedure that required bounty hunters to show up at the Police Station and present the warrant have the police officer accompany the bounty hunter to the location and actually execute the arrest warrant, bring that individual back to the station and identify the individual positively. The Mayor said while all that is going on there is communication with the issuing jurisdiction, he believes that would have prevented Claudia Santana from being wrongfully taken from the town. Mayor Hipp said he believes they owe it not only to her but to all of the residents, to prevent that from happening again and he apologies to members of the Council because he has been remiss, he probably should have come more forward on that before but since the decision on Esposito where the ALJ required them to train their Police Officer's he has been wrestling with the notion of what they are supposed to do to train an officer because there is no such training in the State of New Jersey. The Mayor said what he will be working on with the Borough Attorney and will be introducing to the Council hopefully by the June meeting, is just such an ordinance on those procedures so that any bounty hunter coming into Rutherford has to report first to the Police Station and there will be setup procedures that the police officers will be able to follow that require the bounty hunters to report, provide the information, police officers will execute the warrant, bring the fugitive back to the station for positive identification. Mayor Hipp said if the identification is negative that is the end of the story, if it is positive then they will contact the issuing jurisdiction to make confirmation that the warrant is still outstanding. The

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Mayor said he thinks those procedures will go a long way toward preventing what happened and Mrs. Santana is right, they need to do something and he suspects that some of the issues on the ordinance may be challenged by the Attorney General's Office or by the Bond Insurance Companies but he thinks they need to make the effort and they will submit it to the AG's office or they will discuss whether they submit it to the AG's office before they enact it. Mayor Hipp said he hopes to have it before the Council and he hopes to have more debate about it after that, he believes that with both the AFIS and a procedure will protect the residents going forward. The Mayor said he is happy to hear everyone is supporting the ordinance.

As no further discussion was requested Mayor Hipp, closed the discussion.

Councilman Genovesi moved this ordinance be passed on first reading and advertised according to law, seconded by Councilwoman Inguanti with all members present voting aye.

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For **Ordinance on Second Reading**, Councilwoman Inguanti asked the Clerk to read by title only the ordinance.

The Clerk read the ordinance by title only as follows: **AN ORDINANCE TO AMEND THE PERSONNEL POLICIES OF THE BOROUGH OF RUTHERFORD, CHAPTER XIII ENTITLED, SEPARATION, 70-62. REGULATIONS GOVERNING TERMINATION OF EMPLOYMENT.**

Mayor Hipp opened the Ordinance for public comment. As no one wished to speak the discussion was closed. Mayor Hipp opened the Ordinance for Council comment. As no one wished to speak the discussion was closed.

Councilwoman Inguanti moved this ordinance be passed on second reading and final reading and advertised according to law, seconded by Councilman Genovesi with all members present voting aye.

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For **Ordinance on Second Reading**, Councilwoman Inguanti asked the Clerk to read by title only the ordinance.

The Clerk read the ordinance by title only as follows: **CALENDAR YEAR 2008 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**

Mayor Hipp opened the Ordinance for public comment. As no one wished to speak the discussion was closed. Mayor Hipp opened the Ordinance for Council comment. As no one wished to speak the discussion was closed.

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Councilwoman Inguanti moved this ordinance be passed on second reading and final reading and advertised according to law, seconded by Councilman Sommer with all members present voting aye.

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Mayor Hipp opened the second hearing of citizens.

Frank Wilson – 171 Montross Avenue said he couldn't agree more with Councilman Sommer's comments in regards to the school board and the amount of citizens that were out totaling approximately 1,500 that voted. Mr. Wilson said the budget passed 800 to 600 but when they spend \$38 million and 1,500 people go out to vote versus 8,000 he couldn't agree more.

Mr. Wilson said to Mr. Sasso without being disrespectful, he takes umbrage to the way he answered his question when he went up there professionally and respectfully and didn't get the same treatment back. He said that he is qualified to read a resume, he works in an environmental company for over 20 years, he has seen 1,000 resumes so the answer to Councilman Sasso's resume is yes he is qualified and he asked Councilman Sasso to look at him when he is talking. Mr. Wilson said he wants the resume because he believes he has a right to look at it and he doesn't think Councilman Sasso had a right to ask him. He said respectfully he wants answers to those questions not a comment.

Mr. Moller – 80 Montross Avenue said addressing Councilman Genovesi's statement about the liquor ordinance suggestion; it is specifically owned for restaurants, there will be no bar allowed, only wine and beer and currently they are allowed to bring in wine and beer so they might as well have an ordinance and make some money for the Borough. Mr. Moller said all they are doing is taking money from the wine shop and taking in the restaurant.

Francis McCarthy – 364 Orient Way asked if they could get out of the New Jersey Meadowlands Commission; she thinks that their usefulness is long past and they have the ability to make decisions that affect the town with no input from the citizens and no control. Ms. McCarthy said she is concerned, clearly their judgment leaves a lot to be desired and she is not sure if they are useful, in years past it may have made sense but as time has gone by they are not the only town that is questioning it and she believes they should try.

Robert Genardi – 155 Montross Avenue said he asked Mayor Hipp about the Verizon communications company that was there in February and gave the Council a package; has that company come before the Council? Mayor Hipp responded they haven't as of yet. Mr. Genardi said they are waiting for Council approval to put a modular on the pole in the Police Dept.; they had approval from T-Mobile but they need Council approval and he believes that they do pay a fee approximately \$1,200 or \$1,300 monthly which would be a good income for the Borough. Mr. Genardi asked Councilwoman Inguanti since she was

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checking on the projects; with Mortimer he thinks the contract that was awarded not to a company but the Borough got about \$425,000 two years ago and Mortimer hasn't been resurfaced or anything yet. Councilwoman Inguanti responded that she believes that is going to start in a week or two. Mr. Genardi asked Mayor Hipp if the change orders for the library were \$30,000, \$700 and \$14,000? Councilwoman Inguanti responded it was for \$714. Mr. Genardi asked okay was there another for \$30,000. Mayor Hipp said yes. Mr. Genardi said the last one was for \$14,000; what was the total on each change order. Mayor Hipp said he will answer that after they are done.

As no further citizens wished to be heard, Mayor Hipp closed the hearing of citizens.

Mayor Hipp said to Mr. Genardi there were two change orders; first being \$30,122.85 and the second being \$774.18 and in addition to that they entered into a settlement agreement subject to approval by the Borough Attorney, whereby CMX is going to reimburse the Borough \$14,510.05.

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Councilwoman Keyes moved to adjourn at 11:35 p.m., seconded by Councilwoman Inguanti with all members present voting aye.

Borough Clerk