

**MINUTES OF A REGULAR MEETING OF THE
MAYOR & COUNCIL
HELD TUESDAY, MAY 27, 2008**

The meeting was called to order by Mayor Hipp at 8:50 p.m. with the following Councilmembers present:

Councilman Fecanin
Councilman Sommer
Councilwoman Keyes
Councilman Genovesi
Councilwoman Inguanti
Councilman Sasso

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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 opened the hearing of citizens.

Frank Wilson – 171 Montross Avenue said in regards to Councilman Sommer's agenda item number six, the DPW Chipper \$104,924; he assumes that is a purchase. Mr. Wilson said instead of buying something, wouldn't it be better to lease or rent as needed. He said since they are not going to use it for three months out of the year, they are paying basically \$2,311 a month for it to be used and if they use it every day of the week for 20 days they are paying a \$116; if they use it just four times once a week they are paying \$578. Mr. Wilson said with those numbers wouldn't it be beneficial to rent a chipper when they need it instead of spending that kind of money.

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

Councilman Sommer said he agrees with the discussion of the expense and when they come to the item there will be a discussion of the chipper.

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Councilman Genovesi responded to Mr. Wilson saying that last year he was hesitant to support that and the reason they are doing a roll call is because he didn't consent to the item. He said the Council discussed this in the work session and Councilman Sommer felt the expense was to be questioned and he believes that is why Councilman Sommer agreed with Mr. Wilson's statement.

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Councilman Genovesi made a motion to move that all the items on the Consent Agenda be passed, seconded by Councilwoman Keyes and unanimously approved on roll call.

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

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

1. In the amount of \$255.00 payable to Bryant Robinson – refund for Preschool.
2. In the amount of \$695.00 payable to Vanderhoof Transportation – payment for trip to NYC.
3. In the amount of \$648.00 payable to First Class Photography – payment for Preschool video discs.
4. In the amount of \$30.00 payable to Kathy Chen – refund for Kindergarten softball.
5. In the amount of \$90.00 payable to Carol Gilhawley – refund for Tennis Lessons.
6. In the amount of \$1,496.25 payable to USATF – payment for track membership.
7. In the amount of \$85.00 payable to Maribel Souline – refund for belly dancing.
8. In the amount of \$40.00 payable to Rosanna Gonzalez – refund for belly dancing.
9. In the amount of \$40.00 payable to Jonelle Urena – refund for belly dancing.
10. In the amount of \$40.00 payable to Carwyn Lao-Mendonca – refund for belly dancing.
11. In the amount of \$40.00 payable to Veronica Rivera – refund for belly dancing.
12. In the amount of \$400.00 payable to The Stefanie Sloan Brancato Foundation – Travel Softball Tournament.
13. In the amount of \$1,797.26 payable to Carmine's – payment for dinner.

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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call.

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RESOLVED: That bills in the amount of \$4,330,043.97 payable from the Current Account, \$2,284.00 from the Multicultural Account, \$624.00 from the Public Assistance Trust Fund I Account and \$30,015.00 from the Business Improvement Account, all as detailed 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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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS the following taxpayers have applied for and been granted a State Tax Court Judgment, reducing their assessments for 2006 and 2007 and;

WHEREAS this State Tax Court Judgment has resulted in an overpayment of 2006 and 2007 taxes and the taxpayers are entitled to a refund;

NOW THEREFORE BE IT RESOLVED that the Financial Officer be and he is hereby authorized to issue refund checks totaling \$13,539.90 as follows and charge same to Reserve for Uncollected Taxes.

Block	Lot	Name & Address	Amount	Year
36	5	Kip & Allen Atty Trust Acct.	\$3009.00	2006
		Re: 181 Montross Ave	\$3332.00	2007
TOTAL			\$6341.00	
103	1.01 C0009	Kip & Allen Atty Trust Acct .	\$923.94	2006
		Re: 325 Park Ave.	\$1023.12	2007
TOTAL			\$1947.06	
103	1.01 C0013	Kip & Allen Atty Trust Acct	\$973.50	2006
		Re: 317 Park Ave.	\$1078.00	2007
TOTAL			\$2051.50	
103	1.01 C0001	Kip & Allen Atty Trust Acct	\$1518.66	2006
		Re: 29 Woodland Ave.	\$1681.68	2007
TOTAL			\$3200.34	

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS the following taxpayers has applied for and been granted a State Tax Court Judgment, reducing their assessments for 2004 and 2005 and;

WHEREAS this State Tax Court Judgment has resulted in an overpayment of 2004 and 2005 taxes and the taxpayers are entitled to a refund;

NOW THEREFORE BE IT RESOLVED that the Financial Officer be and he is hereby authorized to issue refund check in the amount of \$5,928.60 and charge same to Reserve for Tax Appeals.

Block	Lot	Name & Address	Amount	Year
182	17.01	Blau & Blau, Atty for 110 Jackson Ave. Corp Re: 110 Jackson Ave.	\$2,886.40 \$3,042.20	2004 2005

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS the following taxpayers has applied for and been granted a State Tax Court Judgment, reducing their assessment for 2005, 2006 and 2007 and;

WHEREAS this State Tax Court Judgment has resulted in an overpayment of taxes and the taxpayer is entitled to a refund;

NOW THEREFORE BE IT RESOLVED that the Financial Officer be and he is hereby authorized to issue a refund check in the amount of \$56,313.47 and charge the same to the Reserve for Tax Appeals.

Block	Lot	Name & Address	Amount	Year
147	10	Susan A. Feeney, Esq. McCarter & English, LLP Re: Verizon-NJ 41 Spring Dell	\$21,833.47 \$16,361.88 \$18,118.24	2005 2006 2007

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

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

In the amount of \$10,000 payable to Reserve Account, for postage for all departments.

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

RESOLVED: That bills in the amount of \$521,868.92 payable from the Current Account and \$34.95 from the Multicultural 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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Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

WHEREAS the following taxpayers has applied for and been granted a State Tax Court Judgment, reducing their assessment for 2007 and;

WHEREAS this State Tax Court Judgment has resulted in an overpayment of 2007 taxes and the taxpayer is entitled to a refund;

NOW THEREFORE BE IT RESOLVED that the Financial Officer be and he is hereby authorized to issue a warrant in the amount of \$1594.77 and charge same to Reserve for Tax Appeals.

Block	Lot	Name & Address	Amount	Year
219	3 Qual. HM	EGDC, etc & The Irwin Law Firm	\$1594.77	2007

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

WHEREAS, the following taxpayers have received a NJ State Tax Court Judgment reducing their property assessment for 2006 and/or 2007, and;

WHEREAS, these taxpayers are entitled to a refund of taxes overpaid;

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NOW, THEREFORE, BE IT RESOLVED that the Financial Officer be and he is hereby authorized to issue warrants totaling \$37,333.88 and charge same to budget for tax appeals.

BLOCK	PLOT	NAME & ADDRESS	AMOUNT	YEAR
201	7	Michael I. Schneck, Trustee for PATCO Realty Co. Re: 153 Darwin Avenue	\$5,256.50 \$10,721.20	2006 2007
		TOTAL	\$15,977.70	
202	7	Michael I. Schneck, Trustee for PATCO Realty Co. Re: 465 Union Avenue	\$4,747.14 \$6,775.72	2006 2007
		TOTAL	\$11,522.86	
185	1	Michael I. Schneck, Trustee for JAPATO Realty Co. Re: 54 Jackson Avenue	\$9,833.32	2006

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For, **FINANCE**, Councilwoman Inguanti reported on May 22nd they had the tax lien sale with 14 properties, 13 were bought by outside entities and one was purchased by the municipality which is a small irregularly shaped lot in the Meadowlands area, 10' x 100'. Councilwoman Inguanti said they received in premiums \$259,700 which will remain in an account of which the Borough will collect the interest and they will receive that money unless or until the liens go to foreclosure but in the meantime they do collect the interest on it. Councilwoman Inguanti said also on May 22 she received a letter from the NJ Meadowlands Commission about her request to create a funding mechanism to help protect the Borough as they move forward with the Encap issues and they forwarded her request to the Attorney General's Office and she called the Director's office and she wants to address the idea with him perhaps to have a redevelopment and planning grant for use by the Borough to be able to hire the professionals they need to provide advice and protection to the Borough.

Councilwoman Inguanti said the Governing Body has agreed to meet for additional budget meeting scheduled for Saturday, May 31 to look at the improvement projects they want to engage in and set a priority list for such and look for funding. She said they will continue to go through the budget.

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Mayor Hipp opened the continued public hearing on the municipal budget; as no one wished to speak the hearing was closed.

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS, R.S. 40A:-19 provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2008 budget, temporary appropriations shall be made for the purpose and amounts required in the manner and time therein provided; and,

WHEREAS, the total of these temporary appropriations does not exceed 25.00% of the total of the appropriations of the preceding fiscal year, after excluding in both instances appropriations for interest and debt redemption charges, capital improvement fund and public assistance.

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

	<u>Salaries & Wages</u>	<u>Other Expenses</u>
Mayor & Council	5,500	1,000
General Administration	0	
Financial Administration	70,000	1,300
Borough Clerk	55,000	25,000
Computer Maintenance		20,000
Auditing and Accounting		1,000
Assessment of Taxes	21,000	2,000
Collection of Taxes	28,000	2,000
Legal Services & costs		44,000
Municipal Court	49,000	3,000
Engineering Services		10,000
Public Buildings & Grounds	161,000	25,000
Planning Board	600	4,000
Board of Adjustment	600	2,500
Shade Tree	70,000	7,000
New Jersey Meadowlands Commission		40,000
Insurance:		
Workers Compensation		150,000
Group Insurance Plan		800,000
Other Insurance Premiums		10,000
Liability Insurance		150,000
Fire Safety Code	60,000	3,000

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Fire Department		40,000
Prosecutor	1,925	
Public Defender	600	
Police	836,925	50,000
Construction Department	97,000	3,000
Office of Emergency Management		700
Police Dispatch/ 911		19,000
Roads	250,000	30,000
Garbage	180,000	15,000
Recycling	150,000	
Sewers	7,000	7,000
BCUA Sewer		214,000
Passaic Valley Sewer		125,000
Dumping Fees		150,000
Rutherford Senior Citizens Center		13,000
Animal Control Services		5,000
Board of Health	101,000	4,000
Administration of Public Assistance	25,000	500
Recreation	56,000	5,000
Education Plan for Employees		3,000
Library	218,000	37,000
Utilities:		
Gasoline		55,000
Fuel Oil		10,000
Electricity & Gas		100,000
Telephone		25,000
Street Lighting		70,000
Water		11,000
Debt Service:		
Interest on Bonds		151,837
Green Trust Loan (Principal and Interest)		2,799
Bergen County Improvement Authority:		
Interest		18,000
Principal		39,341
FICA		150,000
Police & Firemen's Retirement System		635,000
Public Employees Retirement System		300,000
Fire Widow's Pension		6,000
Capital Improvement Fund		100,000
TOTALS	\$2,444,150	\$3,695,977

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS, certain merchandise and various vehicles, bicycles and other miscellaneous items hereinafter described on the attached notice have come into the possession of the Police Department by finding or recovery and said merchandise has remained in the possession of the Police Department for more than six months; and

WHEREAS, the owner or owners are unknown and cannot be found; and

WHEREAS, the Borough of Rutherford presently owns certain vehicles, office equipment, computers and miscellaneous items that are no longer being used by the various departments; and

WHEREAS, it would be in the best interest of the Borough to dispose of these items; and

NOW THEREFORE BE IT RESOLVED, in accordance with N.J.S.A. 40A:11-36, that said merchandise be offered for sale at public auction in the Borough Hall parking lot, 176 Park Avenue, Rutherford, New Jersey at 6:00 p.m. on Monday, June 16, 2008; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to publish a notice, substantially in the form attached hereto, in the News Leader, a newspaper circulating in the Borough of Rutherford on Thursday, June 5, 2008.

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS, the Borough of Rutherford has established policies and procedures for the efficient and consistent treatment of municipal employees, consistent with federal, State and collective bargaining unit agreements, as applicable; and

WHEREAS, the Borough is a member of the South Bergen Municipal Joint Insurance Fund (hereinafter, the JIF) and the Municipal Excess Liability Joint Insurance Fund (hereinafter, the MEL) for all its property and casualty coverages and specifically, Employment Practices Liability coverage; and

WHEREAS, the MEL requires updates to the Borough's Policies and Procedures Manual that incorporate the changes in federal and State laws and regulations, as well as requirements developed through case law,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Borough Attorney and Borough Administration are hereby authorized and directed to implement the requirements set forth by the MEL to remain in compliance with the MEL requirements; and

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BE IT FURTHER RESOLVED, the Amendments to the Policies and Procedures Manual are adopted upon passage of this Resolution and should be distributed to the municipal employees as soon as administratively practical; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be forwarded to the Borough Attorney and Borough Risk Management Consultant.

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Councilwoman Inguanti recommended the appointment of Bond Counsel of Wolff and Samson.

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Under the Consent Agenda, Councilman Genovesi moved to authorize Lane Biviano, Esq. to file a Notice of Appearance in regards to the Encap bankruptcy, seconded by Councilwoman Keyes and unanimously approved on roll call.

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For **POLICE**, Councilman Genovesi reported for the month of April there were 26 arrests, 0 major crimes, 3 burglaries, 2 DUI, 57 burglar alarms, 19 criminal mischief, 1 death, 2 missing persons both located, 32 animal complaints, 150 – 911 calls, 84 auto accidents, 559 summons issued, 288 moving issued and the full report is on file with the Borough Clerk.

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Councilman Genovesi stated that the discussion regarding solicitor permits is being held to the June meeting.

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5/20 Under the Consent Agenda, Councilman Genovesi moved to authorize the request to change the date of the HANDS Party from May 4th to May 25th , seconded by Councilwoman Inguanti with all members present voting aye.

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Under the Consent Agenda, Councilman Genovesi moved to authorize the request to solicit for charitable purposes from ARK Community Development Corp., seconded by Councilwoman Keyes and unanimously approved on roll call.

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Under the Consent Agenda, Councilman Genovesi moved to authorized permission to close a portion of Darwin Ave on Sept. 6 and Oct. 4 from the Rutherford Jr. Football, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Under the Consent Agenda, Councilman Genovesi moved to authorize final payment for the Police Department Generator, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Councilman Genovesi announced that effective May 15, 2008 Capt. Merli was designated the Internal Affairs Officer for the Police Department, Lt. Kriston and Lt. Feliciano have also been assigned to the unit in order to assist Capt. Merli in that function; In Capt. Merli's absence, Capt. Egbert will then have the responsibility.

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Under the Consent Agenda, Councilman Genovesi moved to authorize the request to close Highland Cross at Lincoln Park for "Fun Day Fundraiser" on Saturday, June 14th, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Councilman Genovesi stated that the renovations to the police department are at the point that the architect and the engineer have submitted quotations for specific work to be done within the police department, he had hoped that the cost did not exceed \$200,000 and that would be if they renovated the entire department. Councilman Genovesi said the cost came out to be \$168,000 and they will now pick from there what the most important renovations will be and he assured everyone it will be a lot less than \$168,000.

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Councilman Genovesi read a letter on behalf of Police Director John Thompson; to Sgt. John Russo, Sgt. Marc Amatucci, Det. Sean Farrell, Pt. Craig Capoano, Pt. Alford Anderson. "Thank you for all of your time and hard work in making the Jr. Police Academy a huge success. The Police Department and the entire Borough of Rutherford are grateful to your efforts. This particular program is an integral part of our community policing philosophy and will pay huge dividends to all those involved. All one had to do is look at the faces of the graduates to see how grateful they were for what you have done for them. In speaking with parents and friends of the graduates, I can tell you that they were very impressed with the program. Once again on behalf of the Rutherford Police Department, the residents of Rutherford I thank you for your efforts. John Thompson"

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Councilman Genovesi read a letter in regards to Patrolman Batchelor as follows:

"I am writing you to commend a member of your police force, Police Officer Steven Batchelor.

On Friday, May 2, 2008, our family became concerned for my aunt. A family member attempted to get her attention by knocking on the door and heard knocking in return. Fearing that she was unable to speak or move this family member phone the police and PC Batchelor responded. When my aunt heard that the police was at the door she shouted that she was fine and that we all should go away. PO Batchelor was respectfully persistent and she came to the door. At that point it was evident that she was not caring for herself or her home in an appropriate manner. PO Batchelor was again respectful, patient and with continued persistence was able to enter the home and call the appropriate authorities to confirm that the conditions warranted her home declared uninhabitable at this time.

The kindness and patience of PO Batchelor made a sad and difficult family situation bearable and for that my family and I are extremely grateful. Rutherford can be proud with police like Officer Batchelor on its force.

Sincerely,"

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

WHEREAS, there exists a need for the County of Bergen, Office of Emergency Management, Department of Public Safety to provide an automated telephone alerting system service (hereinafter called "system") to be available 24 hours a day, seven (7) days a week, and all days per year to the seventy (70) Municipalities comprising the County of Bergen; and

WHEREAS, the Bergen County Board of Chosen Freeholders adopted Resolution No. 147 on February 20, 2008, authorizing the County to award a purchase contract to C3: Citizen Communication Center, 155 Franklin Avenue, Nutley, New Jersey 07110 (hereinafter known as the "service provider") to provide the above referenced system to those municipalities so desiring; and

WHEREAS, the Municipality wishes to utilize such a system for the benefit of its citizens; and

WHEREAS, an agreement is necessary to delineate the respective responsibilities of the parties in connection therewith; and

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WHEREAS, the County shall pay 100% of the cost of initial installation, testing and training of the system and 100 % of the cost of the annual maintenance, testing and training of the system; and

WHEREAS, the Municipality shall pay the combined costs of the combination of options as outlined above and in corresponding subsequent Agreement(s) with the County of Bergen.

NOW, THEREFORE, BE IT RESOLVED that the municipality be and is hereby authorized to enter into an Agreement with the County of Bergen to utilize an automated telephone alerting system service at any time during the County's contract period with the service provider (March 1, 2008 through February 28, 2009) with an option for an additional year; and

BE IT FURTHER RESOLVED, that the Mayor of the Municipality be and is hereby authorized to execute said Agreement in a form to be approved by the municipal attorney.

Councilman Genovesi explained the Resolution is sort of a reverse 911 which the Police Department can send out messages to particular portions in town if an emergency arises. It can be phoned into the houses directly so repeat calls can be made. He said Capt. Egbert could isolate areas in town to phone them directly. Councilman Genovesi said there is a charge which is nominal, it has never been applied to the Borough in the past from the County, the County is in the mist of switching vendors and updating costs for the service and they don't see that changing at this time. He said this will give in-house control over emergency notification.

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For **PUBLIC WORKS**, Councilman Sommer reported they will be working with the engineer for the NJDOT grant to submit an application since they are very specific on what they can apply for.

Councilman Sommer said in regards to upgrading the tunnel which has been in the works for a while, at this point they are narrowing down the right type of cameras that can be place in the Kip garage area between the tunnel and the Kip garage itself and they will also be illuminating that area. He said that DPW nor the Downtown Partnership have a lot of expertise in that type of camera so they asked the police for their input. Councilman Sommer said the Downtown Partnership will be funding the project and partnering with DPW to install. He said he hopes to get a camera on the gazebo at Lincoln Park.

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Under the Consent Agenda, Councilman Genovesi moved to accept the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

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WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford that Rutherford hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Sharon DelVecchio to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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Councilman Sommer said a tremendous amount of work has been done to organize the data from people calling in saying they need curb repairs. He said Sharon DelVecchio and the DPW organized a list that can be utilize and put into priorities. Councilman Sommer said as Councilwoman Keyes pointed out, curb repair is significantly less expensive than putting an entire street and hopefully they can find funds between the two. He said putting it into a priority basis based on the severity of the curbs, where safety is the biggest factor or if it was called in two years ago. He said with this data it is a great leap forward and hopefully by next month they will be coming out with where all the calls will be going and how to move forward.

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Councilman Sommer said for the Shade Tree Chipper, they did not have consent so he asked if they could take a vote.

Councilman Sommer moved the following Resolution to award a contract for the purchase of a chipper truck, seconded by Councilman Fecanin.

Councilman Fecanin said this truck is part of the nine year program where they started replacing equipment and the department is in dire need of the equipment. He said if anyone has been in a storm with the department working the way they have been the last few years which he was present for, they need that piece of equipment, it is advantageous to the whole Shade Tree. Councilman Fecanin said Mr. Schmeding, the Borough Tree Surgeon who has been with the Borough for over 30 years acknowledges that they need this to do the job correctly. He said leaving huge limbs on the street for weeks is dangerous and the sweeper has to go around them so it is time now for this chipper. Councilman Fecanin said yes they do cost a lot of money, cars used to cost \$10,000 years ago, things are going up, but they need the equipment and he is 100% behind the Resolution.

Councilman Genovesi said he appreciates what Councilman Fecanin said and he took a lot of that into consideration when the discussion came up last year. He said it is a lot of money almost \$105,000 and his main concern is that they have a wood chipper now, he has seen it being towed around town, he doesn't know the status of it, is it broken, working, what's the life expectancy of a wood chipper, can it be repaired. Councilman Genovesi said he does understand because he knows they work hard during the storms, however, it is a sizable amount of money and he is not comfortable paying for this piece of equipment when they haven't investigated whether the original piece of equipment can be salvaged. Councilman Genovesi said he had a change of heart on the issue and he respects the amount of work that goes into the job of cleaning branches and what not which are hazardous. He would just like to investigate whether the unit that is in the Borough now can be salvaged.

Councilwoman Inguanti asked if this machine would make mulch, does it take the branches and shred them. Councilman Fecanin responded that is correct, they can then be disposed of properly and the mulch is re-used throughout town. Councilwoman Inguanti asked as to the status of the current shredder and Councilman Fecanin replied that it's been welded and patched together and what they are using is outdated. He agreed it is a lot of money but it is outdated and it is important to the town as they have a lot of trees to take care of.

He said as with Ms. Marquart who lives on a street that has a lot of trees and he is sure over the years during storms she has seen a lot of work the guys have been doing as it has been done all over town, so it is justifiable.

Councilman Sommer said he supports the concept of getting the truck they need, he was reminded that it was something that came up last year, he forgot about it. He said

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Councilman Fecanin's knowledge of DPW is long and well respected, it is just that the issue there was only one bid, and he had no clue of what a chipper would cost. Councilman Sommer said he does support it but we could wait another month to have it refreshed from Chris who could answer a lot of the questions that have come up if that is the way the vote goes, he will have a report in next month.

Councilman Fecanin asked the Borough Clerk if it is 2007 money. The Borough Clerk responded yes. Councilman Fecanin said so it has nothing to do with the current year's budget this was already there from last year, so they talked a year and half and now they are going to wait another month.

Councilman Sommer moved to table the Resolution, seconded by Councilman Genovesi, with Councilman Fecanin voting nay and Councilmembers Sommer, Keyes, Genovesi, Inguanti and Sasso voting yes.

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Councilman Sommer said they are getting funding from Xanadu, one of the first of four grants that they are providing through the Meadowlands Commission in the order of \$59,000; they will be using it for advertising, billboards, in hotels to let people know. He said the concept is Xanadu is under an obligation or to litigate any untoward impact to local cities and towns and municipalities by opening up 32 restaurants and shops so close to our town and local towns. Councilman Sommer said this is meant to assist us from them so that they can better compete and they have also spent a good bit of time with this because all though there is \$2 million over four distributions to 14 players it is not a lot of money in comparison to the 23, 24 millions of dollars that Xanadu's revenues might expect. He said they are going to keep pushing to have more revenue share but this is not a bad start so they consented to that and it is going to be managed by the Rutherford Downtown Partnership on the Borough's behalf.

Under the Consent Agenda, Councilman Genovesi moved to accept the following Resolution, seconded by Councilwoman Keyes and unanimously approved on roll call:

WHEREAS, The New Jersey Meadowlands Commission has established a Downtown Revitalization Grant Program for the distribution of funding to the 14 municipalities of the Meadowlands area for the purpose of enhancing their existing downtown retail districts to maintain a competitive edge in the marketplace; and

WHEREAS, the above cited Downtown Revitalization Grant Program is based on a total of \$2 million that the Xanadu Redevelopment Project has been required to provide over a course of four separate periods in order to assist in creating an appropriate synergy between Xanadu and the local retailers; and

WHEREAS, the Rutherford Downtown Partnership has been created by the Borough of Rutherford as a non-profit corporation for the purpose of enhancing the Rutherford Downtown Commercial District; and

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WHEREAS, the Rutherford Downtown Partnership has during its existence, taken on responsibility for streetscape and building facade improvements, along with marketing efforts for the downtown; and

WHEREAS, the Rutherford Downtown Partnership Board of Trustees has identified a need to expand the marketing of our commercial district to a larger geographic area including visitors to the region and travelers on Routes 3 and 17; and

WHEREAS, the Borough of Rutherford is able to submit a proposal for the New Jersey Meadowlands Commission Downtown Revitalization Grant funding.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council approve the submission of the attached grant proposal to the New Jersey Meadowlands Commission for consideration under the Downtown Revitalization Grant Program; and

BE IT FURTHER RESOLVED that the Rutherford Mayor and Council authorize the Rutherford Downtown Partnership to be its agent in the implementation of the grant and the administration of the grant with the New Jersey Meadowlands Commission, on its behalf.

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Councilman Sommer said 83 calls for assistance from the Ambulance Corp. and 58 were medical emergencies. He said he had the pleasure of being with the Social Services Group with Director Kathy Hildebrand and it was wonderful see the amount of support that goes out to the people in the town.

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For **FIRE**, Councilwoman Keyes reported for the month of April there were 53 incidents, two structure fires, two vehicle fires, brush and trash fires. She reminded all to remember when parking to not park on top of leaves because it could start a fire. Councilwoman Keyes reminded all that the town-wide garage sale is being held on Saturday, September 27.

Councilwoman Keyes urged all to support the Fire Dept. fund drives that will be mailed to the residents.

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Under **COMMUNITY DEVELOPMENT**, Councilwoman Keyes said there is an application for Open Space which she will be reviewing with the Borough Engineer and will report back to the Council.

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Councilman Fecanin moved the following resolution, seconded by Councilman Genovesi and unanimously approved on roll call:

WHEREAS, the Borough of Rutherford has entered into a Three Year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2007 through June 30, 2008; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby appoints Maura Keyes as its representatives to participate on the Community Development Regional Committee; and

BE IT FURTHER RESOLVED that George Fecanin be appointed as the alternative representative.

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5/20 Under the Consent Agenda, Councilman Genovesi moved the following Resolution, seconded by Councilwoman Inguanti with all members present voting aye:

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title 1 of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by May 23, 2008 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Rutherford and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rutherford that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2009, 2010 and 2011 (July 1, 2009 – June 30, 2012); and

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BE IT FURTHER RESOLVED, that a copy to this resolution be forwarded to the Bergen County Division of Community Development no later than May 23, 2008.

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As liaison to the BOARD OF HEALTH, Councilwoman Keyes stated that it is the time of year for the West Nile Virus and if any one had questions to please contact the Health Department. She said during the Health Dept. meeting a discussion took place regarding a response to a senior citizen in town and it is important that if there are seniors living near by try to look in on them once in a while.

Councilwoman Keyes said there is a large turkey living on Ridge Road and the Health Dept. was called to the residency and the turkey was relocated to an inner portion of the home.

Councilwoman Keyes said that the Health Dept. issued a food license to a new café that is opening on Glen Road, Café Pompei.

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As liaison to the HISTORIC PRESERVATION COMMITTEE, Councilwoman Keyes reported that with the anticipated renovations of the Rutherford Train Station which should begin in the fall, maybe July, the important part is the NJDOT has reached out to Rod Leith and has asked him to comment on what those renovations are going to be. She said he provided a detailed report to the NJDOT and they will also come to Rutherford and have a public meeting in July.

Councilwoman Keyes asked the Mayor to appointed John Moe and Arie Moller to the Historic Preservation Committee.

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Councilwoman Keyes asked the Borough Attorney if he had an update to the demolition ordinance that was provided in February; they received it from Montclair and provided it to the Attorney so they could try to adopt something very similar to that ordinance. The Borough Attorney said next meeting he will have a draft. Councilwoman Keyes said at the next Historic Preservation Meeting they are trying to get one of the gentlemen from Montclair to speak to the members. Mayor Hipp asked if it would be prudent to have the Committee look at the draft ordinance before it is presented to the Governing Body. Councilwoman Keyes responded yes and she will coordinate such. She said on another item the Historic Preservation is a Committee but they are moving towards reviewing it to make it a Commission status.

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Councilwoman Keyes asked that regarding the ordinance for PODS, they passed an ordinance about having PODS in the driveway rather than on the streets because riding

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around town lately she has seen PODS out in the street on major roads. The Borough Clerk responded that the ordinance was for street and driveway with specific periods for such, but they are allowed to be on the street or driveway.

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For **BUILDINGS & PUBLIC UTILITIES**, Councilman Fecanin reported that the monthly report is on file with the Borough Clerk.

Councilman Fecanin spoke of the annual fund drive for the Ambulance Corp. who are seeking donations as well as the volunteer fire department.

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For **HUMAN RESOURCES**, Councilman Sasso announced that the new Recreation Director Denise Brennan came for a tour of the Rutherford facilities and received an explanation of how the different organizations operate, how the fields are used and he wanted to let people know that she has already shown that she is excited about being in Rutherford beginning on June 2nd. Councilman Sasso said they are also planning on welcoming Denise to the Borough with a meet & greet that morning. He said he would also do this one late afternoon, early evening extending invitations to different organizations and groups in town to informally meet Denise to welcome her into the Borough and she is looking forward to meeting with everyone.

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Councilman Sasso said over the last couple of weekends they have had inclement weather at the most inopportune time, raining on Friday evening and on Saturday the sun would come out and he knows some of the residents want to know what is done with the field maintenance. He said a few of them have meet a couple of weekends to discuss how do they better work when the fields are called for rain outs, so it is something that doesn't go unnoticed it is something that they are concerned about, they talked with the Council people, the DPW, the Recreation Dept. to try to put some guidelines, who calls it, when should it be called, at what time, would it be for the whole day, half-day and what they need to do to make the fields playable. Councilman Sasso wanted to make people aware that it is being discussed.

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Councilman Sasso thanked the many organizations for all the hard work they did during the month such as the Multi-Cultural Festival at the Williams which was a beautiful event; at the schools they had an Art Shows for all the grades which was another wonderful event. He had an opportunity to talk with the Mayor and the Golden Ages Organization and he noticed the Boy Scouts in the audience and one of the things they talked about with them is community involvement and participation. He said it is something they are both very much interested in and it is something they have

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Maria Brown
Mark Capobianco
Phil Dacchile
Steve Finelli
Jonathon Fisher
Lindsay Fitzpatrick
Alyssa Forte
Suzanne Fox
Alyssa Fuime
Jean Gabriel
Caitlyn Garity
Kathleen Good
Zach Gorman
Megan Hild
Katie Landrigan
Steve Lascari
Frank Loperana
Patrick Walsh

Michael Mazzola
Andrea Mikolay
Connor Molloy
Kelly Moore
Caitlin Murphy
Amanda Musarra
Julian Muscio
Gianna Muscio
Mairead O'Grady
Daniel Pitre
Brianna Regan
Alexander Rivera
Taylor Rivera
Jesse Schnackenberg
Brian Scurti
Danica Sommer
Richard Wagstaff
David Zurla

Councilman Sasso moved to confirmation appointments of the Day Camp Counselors, seconded by Councilman Sommer with Councilman Fecanin, Councilwoman Keyes, Councilwoman Inguanti and Councilman Sasso voting aye and Councilman Sommer and Councilman Genovesi abstained.

Civil Rights Committee

Mayor Hipp appointed Roberto Bustamante.

Councilman Genovesi moved confirmation, seconded by Councilwoman Inguanti and unanimously approved on roll call.

Historic Preservation Committee

Mayor Hipp appointed Arie Moller and John Moe.

Councilwoman Keyes moved confirmation, seconded by Councilman Genovesi and unanimously approved on roll call.

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Mayor Hipp appointed the law firm of Wolff and Samson to be Bond Counsel.

Councilman Genovesi moved confirmation, seconded by Councilwoman Inguanti with all member present voting with the exception of Councilman Fecanin who voted no.

Mayor's Proclamations:

Month of June to both:

- ◇ **Myasthenia Gravis Awareness Month**
- ◇ **Scleroderma Awareness Month**

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ORDINANCES – 1st READING

Councilman Genovesi explained that the Ordinance was for a small section of roadway which the maintenance facilities are having a hard time cleaning so they want to institute alternate side of the street parking regulations. He said the bus stop on Union Avenue and Chestnut is not his primary location of choice however the Police Dept. did a survey and they feel it is the best location for the addition bus stop on Union Avenue. Councilman Genovesi stated that also within the Ordinance is the handicap space on 191 Santiago.

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: **AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF RUTHERFORD, CHAPTER 126, ENTITLED VEHICLES AND TRAFFIC.**

Mayor Hipp opened the Ordinance for discussion; no one wished to be heard.

Councilman Genovesi moved the ordinance be passed on first reading and advertised according to law, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Councilman Sommer stated that both of the following ordinances were related to sewer systems; the ordinance goes back to 1947. He said this corrects the regulation that the property owner is responsible for the sewer from the home to the main and the Borough is responsible for the main sewer line.

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

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The Clerk read the Ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF RUTHERFORD, CHAPTER 109, ENTITLED STREETS AND SIDEWALKS.**

Mayor Hipp opened the Ordinance for discussion.

Councilwoman Inguanti asked if there were two separate ordinances both dealing with sewers but one has to do with sidewalks. Councilman Sommer said yes one is the piping itself and instead of embodying the ordinance in one section they divided it amongst several and one covered the sidewalk. He said they need to bring it on one path to know who is responsible. As no one else wished to be heard the discussion was closed.

Councilman Sommer moved the ordinance be passed on first reading and advertised according to law, seconded by Councilman Fecanin and unanimously approved on roll call.

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

The Clerk read the Ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE BOROUGH OF RUTHERFORD, CHAPTER 91, ENTITLED SANITARY SEWERS.**

Mayor Hipp opened the Ordinance for discussion.

Councilman Fecanin wanted to explain that the town will take care of the main sewer line, it is the lateral from the house to the "T" is the homeowner's responsibility. As no one else wished to be heard the discussion was closed.

Councilman Sommer moved the ordinance be passed on first reading and advertised according to law, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Councilman Sasso said the ordinance before them is to increase the park fees that are presently in existence for use of the field in the park and picnic areas and tennis courts due primarily to the increase in cost for electricity, field maintenance. He said they checked with other municipalities in the area and they have also done the same.

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

The Clerk read the Ordinance by title only as follows: **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 73-8 SCHEDULE OF FEES FOR THE BOROUGH OF RUTHERFORD, CHAPTER 73 PLAYGROUNDS, PARKS, OPEN SPACE AND RECREATION AREAS.**

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Mayor Hipp opened the Ordinance for discussion.

Councilman Genovesi said that last year they had the discussion of permit fee increases for the Building Dept. and he understands that services have to keep up with costs but he feels that anytime they increase permit fees to residents it is kind of an additional tax. He said he didn't agree with the permit fees in the Building Dept. going up. Councilman Genovesi said his logic in thinking would be could that be applied to that as well and he is going to be revisiting something in the Police Dept. which has to do with fees charged for fingerprint identification system. He said he wants to be very careful, he is not saying that he doesn't understand or would not support it but is there anyway or has any thought been given to the document that maybe it should be tiered in two different levels meaning, one small increase this year and another small increase the year after. Councilman Genovesi said he thinks that would make it far easier to absorb on the residents and people who come in from out of town, well he is looking out for the residents so to make the cushion for them a little softer. He said he remembers the permit fee with the Building Dept. Councilman Fecanin made the point to him that if they don't do it all at once they have to come back and revisit it again but he still wanted to know if there was any chance of doing that for this ordinance. Councilman Genovesi asked if that the document be structured into two separate years?

Councilman Sasso responded that he knows that the cost of electricity, gas and maintenance; just the cost of turn the lights on at Tryon Field doesn't even cover the permit fees that they charge outside organizations that come in and use the field that millions of dollars were spent on. He said the fee increases that they are asking for are not great, they are within reason and especially since they have spoken to other people as well in and out of town. Councilman Sasso said he is not sure when was the last time the park fees were actually increased in Rutherford but is wasn't any time recent; so he thinks the fees are in-line with what is being asked to maintain the fields properly.

Councilwoman Keyes said she thought part of the process was to look at the out of town people that were for-profit organizations that were using the fields, he was raising the prices a little higher for them than the residents. She said she thinks that is what he used when he did the analysis, is that correct? Councilman Sasso responded that was correct, the fee increases for resident versus non-resident fee was more on the non-resident side; they tried not to have any increase for the resident side, but in talking to Lane who helped him with the ordinance it just became that they were charging nothing to the fields but they put more of the onerous on the out-of-town users. Also, he said they included a new fee for for-profit organizations that were using the out-of-town rates that were much lower and this should correct the fees to be fair as to who is using our facilities.

The Borough Attorney said they spoke with neighboring municipalities and they were charging a lot more for non-residents they we were and when they look at the ordinance globally and the usage of the field, they wanted everyone to enjoy the field but not at the expense of pushing out the residents. He still believes the fees are below the rest of the towns they surveyed.

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Councilman Sommer said two years ago he sat with the Recreation Supervisor and they saw there was a dramatic disparity between fields with lights, there was the same charge whether the lights were on or not and they tried to make some of those changes. He said a key point is that part of the ordinance is that it is nice to have a fee and permit but they need to collect the money. Councilman Sommer said so when they sign up for the permit that is when they pay, if it turns out that it rains and they can't use the field there is a refund but it is paid before.

Councilwoman Inguanti said she remembers that Councilman Sasso cross-referenced the fee schedule with Bergen County facilities. Councilman Sasso said that is correct, they received information from the County level and nearby communities; East Rutherford charges \$2,500 for astro-turf field and Rutherford's is considerably less. He said they are not looking to make tons of money just looking to cover cost and keep up with the maintenance and expenses of the field and lights.

Mayor Hipp asked Councilman Sasso if it was fair to say that the purpose of the ordinance is basically to raise enough funds to pay for the maintenance and upkeep and not burden the taxpayers by subsidizing the cost and the equipment which is being used by a lot of non-residents and for profit organizations. Councilman Sasso said it will not cover everything 100% but it is going to help alleviate some of that burden to the residents.

Councilman Sasso moved the ordinance be passed on first reading and advertised according to law, seconded by Councilwoman Keyes and unanimously approved on roll call.

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Councilman Genovesi said the ordinance following is for the AFIS device and the listening device which was a small piece of equipment that is kept on the officer's body, a mechanism that allows the officer's that are conducting the surveillance to monitor the undercover officer that is performing the task. He said it relays and transmits whatever conversation and information from one room to another room where several officers would be located and could listen in and make the arrest and provide for the safety of the undercover officer. Councilman Genovesi said the AFIS device, as promised the Police Department began to work on a policy, procedure and protocol to go along with the AFIS which he had made a stipulation for the PD to have it done prior to the second reading. He said they have initiated the process which they will complete very soon but he had a rough copy available for the Council. Councilman Genovesi said in addition there is a live scan agreement that will be signed by the Borough and the outfit that makes the units which is a way to control what the device is being used for and stay within the legal perimeters. He said in addition to the policy, procedure and protocol, policy will be sent out to each officer for their review and sign off on the verification sheet which means they have reviewed and understand their part within the department in regards to using that equipment and they will be ultimately responsible for the information and use of the equipment.

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For **Ordinance on Second 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.**

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

Mayor Hipp opened the Ordinance for Council comment.

Councilman Fecanin asked if the appropriated expended balance is the money coming from the budget or from forfeiture funds through the PD? Councilman Genovesi said they had the option of using forfeited funds through the Bergen County Prosecutor's Office however the PD just used \$50,000 of that money to renovate the police range which is a project that is going on between seven municipalities. He said a good portion of the money that was in there, he didn't want to disclose to the public the unexpended balance in there because that would be up to the PD to do, but roughly \$50,000 came out of there for the police range. Councilman Genovesi said along with the equipment they need the policy and procedure to be created and understood, they need officer's trained in the use of the equipment and they need to be able to order the equipment, receive and install lines necessary for the equipment. He said it would require a lot of time before the equipment is actually put in usage had they wanted so he asked the Council on first reading to allow unexpended funds be transferred to use for the purchase of the equipment. Councilman Fecanin said he believes they should wait for forfeiture funds because it is not a dire need or emergency, they receive a lot of money through the Prosecutor's Office, he believes this type of equipment and equipment in the past that they have purchased for the PD they were paid through forfeiture funds so he will not support the ordinance.

Councilwoman Keyes said in regards to protocol, all of the explanation about policy and procedure protocol, she believes that could have been done in one of the reports because this is just a second reading on the ordinance. Councilman Genovesi said he appreciates that but however, the policy and procedure and protocol were a facet, part of what he explained to them would go on in between the first and second reading so it was just a report that it had been done so that if they were voting in favor of the ordinance they may feel more secure that the PD has done that aspect. Councilwoman Keyes said yes but it is not part of the ordinance.

As no one wished to speak further the discussion was closed.

Councilman Genovesi moved this ordinance be passed on second reading and final reading and advertised according to law, seconded by Councilwoman Inguanti with

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Councilwoman Keyes, Councilman Genovesi, and Councilwoman Inguanti voting aye; Councilman Fecanin voting nay, Councilman Sommer and Councilman Sasso abstaining.

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

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Councilman Genovesi moved the following Resolution to close the meeting, seconded by Councilman Fecanin and unanimously approved on roll call.

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Rutherford will hold a closed meeting on Tuesday, May 27, 2008 at 10:16 p.m. in the Committee of the Whole Room to discuss the following matter:

◇ Potential Litigation – Fire Department

The meeting re-convened into open session at 10:22 p.m. Councilman Sommer moved to adjourn at 10:22 p.m., seconded by Councilman Fecanin and unanimously approved on roll call.

Borough Clerk