

**MINUTES OF A SPECIAL MEETING OF THE  
MAYOR & COUNCIL  
HELD THURSDAY, AUGUST 9, 2007**

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The meeting was called to order by Mayor McPherson at 7:05 p.m. with the following Councilmembers present:

Councilman Frazier  
Councilman Reyes  
Councilwoman Keyes  
Councilman Genovesi

Councilman Fecanin – Absent  
Councilman Sommer - Absent

Mayor McPherson asked those present to join her in a salute to the flag followed by a moment of silent prayer.

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

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Mayor McPherson opened the hearing of citizens.

Della Rowland, 41 Highfield Lane – spoke regarding the Library budget and said she had great sympathy for the Mayor and Council and would not like to be in their position at all. She said she is the Vice-President of the Friends of the Library, Chair of the William Carlos Williams Poetry Symposium. She said she is sure that everyone in this community has their pet project that they would like to see not cut and she was hoping that they could spare the Library any drastic cuts because under Jane Fisher’s direction, our Library has expanded it’s connection to our community through longer hours including Sundays, better internet connection, more programs for all ages especially for our often overlooked young adults. Our Library is more than just a service, it represents something about a town and that is a commitment to invest in every citizen’s basic right to information, culture and education and our history regardless of community status, income or even

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housing. To pull back on these expansions would not only deprive citizens of those benefits and ultimately harm our town itself.

George DeGregorio, 175 Mountain Way, spoke to back up what Ms. Rowland said about the Library cuts. He read an e-mail he sent: "I'm writing to protest the proposed \$85,000 cut in 2007 library budget. I've been a resident for 46 years during which I have paid taxes that have helped sustain the budgets for all those years. In recent years, the taxes have zoomed sky high and with little visible return to show for it. Now the proposal to trim the library share seems like a deliberate attempt to penalize what some might regard as a vulnerable area in the town. A library however is not a weak part of the town's assets. It is one of the strongest assets any town can have that is usually the heart and soul of community spirit. It shapes its character, its values and culture. Without a first class functioning library a town's worth is diminished. I am old enough to remember reading and seeing the reports in newspapers and news reels of Hitler's storm troopers burning the books in the attempt to send the world back to an age of ignorance and darkness. But he failed because the free people of the world fought back and refused to accept the brutal destruction of hundreds of years of wisdom and intellect that created those books. My wife and I enjoy taking books from the Library and for many years my four children all took advantage of the wonderful offerings the Library had made available. My children used the Library to do research for school projects and to study. All four went to fine colleges and are doing well. One son is a physician another is a television producer and another is an actor, our daughter is the director of development for a private school consortium in the Philadelphia area. I'm sure that are many similar examples of success in many other families throughout Rutherford who took advantage of the fine facilities the Library made available. The Library's strength rests in the people who use and enjoy it and make it a living testament as they go on their way in life. You diminish this ability to offer such enlightenments, you somehow dim the light of knowledge and understanding. I make a plea to the Town Council and the Mayor who are scheduled to vote on the budget tonight to reconsider and restore the cuts aimed at the Library. They're positive decision will reap them measurable rewards in dividends for all in the future. Thank you very much."

Mayor McPherson thanked the speakers and said that she regrets terribly that there is a mistaken impression that there is an \$85,000 cut in the Library. That was an erroneous report in a newspaper report.

Hearing of Citizens closed.

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Under the Consent Agenda, Councilwoman Keyes moved the following Resolution, seconded by Councilman Frazier 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 \$8.00 payable to Mona Nashed- refund for day camp.

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2. In the amount of \$1,200.00 payable to Rutherford Post Office-mailing of fall brochure.
3. In the amount of \$46.00 payable to John Gibney- refund for day camp trip.
4. In the amount of \$8.00 payable to Carol Lemaire- refund for day camp trip.
5. In the amount of \$75.00 payable to Tina Boetius- refund for day camp trip.
6. In the amount of \$51.00 payable to Karen Kelly- refund for day camp trip.
7. In the amount of \$150.50 payable to Powerhouse Studios- additional payment for trip.

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

**RESOLVED:** That bills in the amount of \$4,333,590.18 payable from the Current Account and \$6,500.00 to the Rutherford Downtown Partnership, all as detailed as follows on the attached sheets be passed for payment, warrants drawn and charged to the proper accounts. A complete list of these bills is on file with the Borough Clerk.

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Councilwoman Keyes presented the resolution for the budget amendment with the following comments: "As you all recall, back in March we introduced our budget and now comes the time where we're able to let you know exactly what we've done in terms of amending the budget that was introduced at 24%. The first item we were able to achieve receiving \$500,000 in extraordinary aid and then we were able to anticipate an extra \$10,000 under the Uniform Construction Code. There are different grants and aid that total up another \$454,126.00. We were able to increase of court fines by \$10,000 and the bottom line when we introduced our budget and we were looking for \$19,667,552.00 which would have been the local tax, we reduced that by \$1, 318,000 to \$18,349,278.00. If you continue on, you can see the various departments that we have been able to cut and I don't want anyone to think the library was singled out, every single department and operating area was looked at and everybody is being cut, everybody that has been able to be cut has been cut. If you take a look at those numbers, they add up to approximately \$366,000. These were very difficult things to do when you're talking about services. We tried to make our cuts so that they would not affect the services provided to our residents.

Mayor McPherson called on Mr. Cortright at this time to reference the library budget.

Mr. Cortright made the following comments: "In the 2006 library budget, the total amount appropriated was \$965,000. In the 2007 as amended is \$939,000 a reduction of about \$26,000, not \$85,000 that was alluded to by some source other than myself. This is not a 20% reduction but a 15% reduction. This \$939,000 is supplemented by an additional \$340,000 in additional funds shown elsewhere in the budget document such as utilities, approx. \$75,000; fringe benefits - \$158,000; payroll processing - \$2,000; insurance \$105,000. In 2006, these numbers totaled about \$340,000 on top of the

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\$965,000. In 2007, that 340,000 can easily be increased by another 5% which is \$17,000 so of the \$26,000 reduced \$17,000 was increased by these items mentioned. I have not yet begun to consider capital expenditures, HVAC, computers, etc."

Councilwoman Keyes stated that the Library also gets revenues outside of the Borough, state aid, \$22,000; fines & fees \$29,000. We also feel that the Library, Williams Center, are cultural hubs for our Borough, there is nothing more that we want to do but to support those venues and it is with great regret that we need to cut things.

She said that because we were able to restructure our BCIA leasing, we reduced that total debt service from 2.6 million to 2.0 million, a savings of about \$537,000. We also reduced our reserve for uncollected taxes, a reduction of about \$150,000. So all in, the number for the Borough increase is \$390.37 based on a home assessed at \$448,840.

The Mayor commended the efforts of the Finance Committee, Councilmembers Keyes and Reyes, Borough CFO Ed Cortright, Administrator Timothy Stafford, lots of our Department Heads, employees and residents that assisted us in getting to this point. Fortunately we were successful in getting some extraordinary aid from the State, there are cuts but also increases in revenues that reflect our efforts to be able to secure grants to alleviate the burden on our residents.

Mayor McPherson then opened the hearing on the budget.

John Huffman, 163 Sylvan Street. – "I've been a lifelong resident of this town. First, I'd like to commend the Mayor and Council on their hard work on this budget, I know it's been very, very difficult. However, notwithstanding, this Borough has been spending money it doesn't have for too many years. That's one reason why our tax rate is so high. Number 2, there is something that was enacted at the State level around 1995, saying if they mandate it, they'll pay for it. Well, they're not doing that unless they're doing it with extraordinary aid and I doubt that because not every town is getting that. Item 3, we're living on debt, your amended budget is going to give me about a \$475.00 municipal tax increase added to BOE, it's a chunk of money. I'm retired and can no longer afford to live in this town. This town for too long has been totally fiscally irresponsible and I think it's time to stop and perhaps the reason people don't vote is that they are fed up with politics. There's two things we need in this town, one, a pay to play ordinance, also at the County, and two, maybe we need a recall election for the politicians".

Della Rowland said it was her understanding that every year the Library has gotten a certain increase, 15-20% to meet increases that normally occur with wages and such. If they had simply been given the same amount this year from last year, that would still represent some cut to them because they were in anticipation of that increase, so if we add what they did not get which would represent some sort of cut in addition to what is being proposed as an actual cut, would that approach that \$85,000?

Mayor McPherson responded that she didn't know where the \$85,000 came from, she read it in the newspaper like everyone else. Ms. Rowland replied maybe not a figure

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but in actuality then even if the Library is only getting a % less, it is even less because they are not getting an anticipated increase, is that true? Mayor McPherson asked Mr. Cortright if the salaries are the same as 2006 and the answer is yes and the operating expenses are being cut. Ms. Rowland asked if that included the air conditioning and the Mayor said this is a capital improvement paid by through the Borough's municipal capital budget. Mr. Rowland said that then they are getting a bit more of a cut than that because they are not getting their anticipated increase, the Mayor responded yes.

Councilwoman Keyes noted that the council has been trying to accomplish the HVAC project for the last four years or longer and that is finally coming to fruition, however, because of the length of time and the amount we bonded for we have to spend another \$166,000 to complete the budget so that is more funds going to the Library that people don't realize that those are things that are going to happen but they're not pretty things that you're going to see the difference, hopefully you'll feel it. Mayor McPherson noted that we took on those costs so that we would not have to lay off library workers during the course of the improvements to the HVAC system.

Mary Frances Calasino, "15 year resident and educator in Rutherford since 1980. Presently, I'm the librarian/media specialist in Pierrepoint School. Everything that Ms. Rowland said earlier she totally agreed with. I think the library has seen a renaissance with Ms. Fisher as Director and also in the public school we've also seen a renaissance. When we decided to allocate money to enlarge the schools, we have focused a lot of our money on the libraries. The high school has doubled, Pierrepoint is currently expanding as well as the others. If you know anything about literacy and information in the future, a library really is viable to the community. I know young families coming into town and I hear so many times how impressed they are with the library. I know it is difficult to make budget cuts but please take into consideration the importance of the library".

John Hipp, 143 Highland Cross – "for the record, Republican candidate for Mayor of Rutherford, but I would be up here anyway if I was not running. I'm going to address my comments going back to the March hearing of citizens when this budget was introduced. When you introduced the budget it was with a 24% increase and one of you voted no, Councilman Genovesi and he was hit pretty hard, in my opinion, from the rest of you guys because of his vote and I think that was inappropriate because here we stand tonight with a budget that you are about to vote on and by the way, I'm going to urge you to follow Mr. Genovesi's lead and vote no on this budget. This budget contains a tax increase of over \$2 million dollars. The total tax levy is going to be over \$800 per taxpayer on an average home and that's an average home and it's probably going to be higher because average's are statistics and as Mark Twain said "there are lies, there are damn lies and then there are statistics". And we know that from last year's experience. Last year there was a 22% increase and you knocked it down to I think about 12.89%. I don't know how many of you people know this but last year's tax increase was the 11<sup>th</sup> highest in the entire State of New Jersey according to the figures from the Division of Local Governmental Services. I've got to ask you, you're coming up tonight with this budget with an additional \$852 increase average per taxpayer and Ray, I've known you for a long time, are you proud of this budget, because I believe you're not, I believe all of you are very, very, or ought to be, concerned with the tax increase that is being proposed here. Any so I am going to

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urge you to vote no. You have a regular meeting next week, do you not, go back, sharpen your pencils and do a better job, please. You cannot impose this kind of tax increase on the taxpayers, you cannot possibly be proud of this budget. Thank you".

Ann McCormack, 14 Hawthorne Street, 12 years on the Library Board. "Originally I had planned to make a few comments about the budget and then I decided to make a phone call to a man I respect very much and after that conversation, I decided to leave the budget and it's final results to the experts. However, there appears to be a good representation here of the Friends of the Library and I would like to address my short comments to them. My challenge to them is this, go out and make some real money for the Library, don't rely on your cashola's and yearly mailings for funds. Use your imagination, come up with some real innovative means of fund raising to make up for this budget deficit. I've already given to Jane and you an idea, the details of which I expect to present to you at your first formal meeting. I'll help but you'll have to sell it. Friends in towns across the country present their libraries with thousands of dollars each year to augment their towns or cities' budgets. I know this first hand, I know of one that gave it's library \$52,000 last year. If we put our minds to it and work hard for the Library, so that's my challenge, go ahead and I'll help you try to achieve it. Thank you".

As no other resident wished to speak, Mayor McPherson closed the hearing of citizens for the municipal budget.

Councilwoman Keyes then moved the resolution to amend the 2007 budget, seconded by Councilman Reyes. Councilwoman Keyes commented that tonight we are here to amend the budget, not to adopt, for the figures I recently spoke of. The additions and grant money, that's what we're here for tonight is to amend the budget and that's what our job is to do:

### **RESOLUTION TO AMEND BUDGET**

WHEREAS, the local municipal budget for the year 2007 was approved on the 6<sup>th</sup> day of March, 2007 and,

WHEREAS, the public hearing on said budget has been held as advertised,  
and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Rutherford , County of Bergen, that the following amendments to the approved budget of 2007 be made:

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***Anticipated Revenues:***

	From
To	
3. Miscellaneous Revenues – Section B: State Aid without offsetting Appropriations	
Extraordinary Aid	0
\$500,000	
3. Miscellaneous Revenues – Section C: Special items of general revenue anticipated with prior written consent of the Director of Local Government Services:	
Additional Dedicated Uniform Construction Code Fees Offset with Appropriations	63,000
73,000	

**Anticipated Revenues (continued)**

	From	To
3 Miscellaneous Revenues – Section F		
Special Items of General Revenue Anticipated with Prior Written Consent of The Director of Local Government Services – Public and Private Revenues Offset with Appropriations:		
Bergen County Community Development Block Grants:		
Williams Center Improvements	0	127,840
Barrier Free Curb Cuts	0	80,426
NJ DEP Green Community Grant	0	2,000
Bergen County Open Space Program	0	231,500
Bergen County Municipal Recycling Assist. Program	0	8,360
NJ Dept of Law & Public Safety - Click It or Ticket	0	4,000
County of Bergen – Office of Prosecutor – Forfeited Funds	0	43,572
3. Miscellaneous Revenue – Section G – Special Items of General Revenue anticipated with Prior Written Consent of the Director of Local Government Services:		
Other Special Items:		
Additional Municipal Court Fines	0	10,000
Total Miscellaneous Revenues	5,090,626	6,108,324
Subtotal General Revenues	6,335,626	7,353,324

6. Amount to be Raised by Taxes for Municipal Budget

- a) Local Tax for Municipal Purposes including Reserve for

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Uncollected Taxes	19,667,552	18,349,278
7. Total General Revenues	26,003,178	25,702,602

From                      To

**8. GENERAL APPROPRIATIONS**

a) Operations Within Caps

**GENERAL GOVERNMENT**

General Administration

Salaries and Wages	213,000	192,803
Other Expenses	13,305	10,644

Mayor and Council

Mayor's Expenses	3,000	1,500
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Municipal Clerk's Office

Salaries and Wages	140,000	212,702
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Financial Administration

Salaries and Wages	256,464	241,464
Other Expenses	10,450	8,360

Computerized Data Processing

Other Expenses	36,000	28,800
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Collection of Taxes

Salaries and Wages	123,637	109,082
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Assessment of Taxes

Salaries and Wages	64,651	55,186
Other Expenses	6,350	5,080

Planning Board

Other Expenses	17,550	14,040
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Board of Adjustment

Other Expenses	16,300	13,540
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From                      To

**PUBLIC SAFETY**

Police

Salaries and Wages	4,715,949	4,563,545
Other Expenses	165,800	132,640

Office of Emergency Management

Other Expenses	700	560
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Fire Official

Other Expense	14,130	11,304
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Municipal Court

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Other Expenses	13,650	10,920
<b>PUBLIC WORKS</b>		
Street and Road Maintenance		
Salaries and Wages	1,007,512	997,512
Shade Tree Division		
Salaries and Wages	322,000	292,000
Other Expenses	26,600	21,280
Sewer System		
Other Expenses	34,500	27,600
Garbage and Trash Removal		
Salaries and Wages	748,490	718,490
Other Expenses	56,412	45,129
Recycling		
Salaries and Wages	490,000	486,987
Buildings and Grounds		
Other Expenses	225,125	195,500
<b>HEALTH AND WELFARE</b>		
Board of Health		
Other Expenses	43,872	38,782
	From	To
Animal Control Services		
Other Expenses	19,000	15,200
Administration of Public Assistance		
Other Expenses	3,690	2,952
<b>PARKS AND RECREATION</b>		
Recreation Commission		
Salaries and Wages	240,000	235,000
Other Expenses	36,795	29,436
Education Plans for Employees		
Other Expenses	12,000	5,000
<b>UNIFORM CONSTRUCTION CODE</b>		
Construction Official		
Salaries and wages	377,426	368,766
Other Expenses	8,775	28,775
<b>UNCLASSIFIED</b>		
Telephone	82,000	78,000
 Total Operations (Item 8a) Within Caps	 18,070,623	 17,704,069
 Total Operations Including Contingent Within Caps	 18,072,623	 17,706,069
 Detail		
Salaries and Wages	10,326,919	10,081,327
Other Expenses	7,745,704	7,624,742

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**GENERAL APPROPRIATIONS EXCLUDED FROM CAPS**

	From	To
A) Operations Excluded from caps:		
Maintenance off Free Public Library with State Aid	965,551	939,732
Total Other Operations Excluded from caps	3,164,429	3,138,500
A) Public & Private Programs Offset by Revenues:		
Bergen County Municipal Recycling Assistance Program	0	8,360
NJ DEP Green Community Grant	0	2,000
County of Bergen – Office of Prosecutor – Forfeited Funds	0	43,572
Bergen County Community Development Block Grant:		
Barrier Free Curb Cuts	0	80,426
Williams Center Improvement	0	127,840
NJ Dept of Law & Public Safety Click It or Ticket Grant	0	4,000
Bergen County Open Space Program	0	231,500
Total Public & Private Programs Offset by Revenues	139,545	637,243
 Total Appropriations Excluded from Caps	 3,303,974	 3,775,743
Detail:		
Salaries and Wages	17,010	72,942
Other Expenses	3,286,964	3,702,801
C) Capital Improvements Excluded from Caps		
Capital Improvement Fund	45,000	327,000
Total Capital Improvements Excluded from Caps	195,000	477,000
	From	To
D)Municipal Debt Service Excluded from Caps		
Bergen County Improvement Authority		
Principal	993,227	530,628
Interest	213,310	138,118
Total Debt service Excluded from Caps	2,600,791	2,063,000
H-2 Total General Appropriations for Municipal Purposes Excluded from Caps	6,177,765	6,393,743

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O) Total General Appropriations Excluded from Caps	6,177,765	6,393,743
L) Subtotal General Appropriations Items H 1 and O	24,875,178	24,724,602
M) Reserve for Uncollected Taxes	1,128,000	978,000
9 Total General Appropriations	26,003,178	25,702,602

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for her certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A.40A:4-9, be published in the News Leader in the issue of August 16, 2007 and said publication contain notice of public hearing on said amendment to be held at the Municipal Council Chambers at 7:00 PM on August 21, 2007.

On roll call, all members present voted aye except Councilman Genovesi who voted nay.

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Councilman Frazier made a motion to approve the Kaleidoscope of Hope Foundation requesting permission to tie ribbons on trees in recognition of Ovarian Cancer Awareness Month in September, seconded by Councilwoman Keyes with all members present voting aye.

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For **Ordinance on second reading**, Councilwoman Keyes asked for the Clerk to read by title only the ordinance.

The Clerk read the ordinance by title only as follows: **REFUNDING BOND ORDINANCE OF THE BOROUGH OF RUTHERFORD, IN THE COUNTY OF BERGEN, NJ, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF GENERAL OBLIGATION BONDS AND GENERAL IMPROVEMENT BONDS OF THE BOROUGH, APPROPRIATING NOT TO EXCEED \$10,500,000 THEREFORE AND AUTHORIZING THE ISSUANCE BY THE BOROUGH OF ONE OR MORE SERIES OF REFUNDING BONDS IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$10,500,000 FOR FINANCING THE COST THEREOF.**

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Councilwoman Keyes made a motion to table the ordinance, seconded by Councilman Frazier, with all members present voting aye.

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Councilwoman Keyes moved the following Resolution, seconded by Councilman Reyes, 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 Section 7b;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council will hold a closed meeting on Thursday, August 9, 2007 at 7:40 p.m. in the Committee of the Whole Room to discuss personnel and;

**BE IT FURTHER RESOLVED**, that the outcome of this discussion will be disclosed to the public when there is no further need for confidentiality.

The meeting reconvened at 7:50 p.m.

Councilman Reyes then moved the approval of a 30 day unpaid leave of absence for DPW employee Carmine Coppola, in accordance with established regulations, seconded by Councilwoman Keyes with all members present voting aye.

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Councilman Reyes moved to adjourn at 7:51 p.m., seconded by Councilwoman Keyes with all members present aye.

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Borough Clerk