

MINUTES OF A SPECIAL MEETING HELD TUESDAY, AUGUST 10, 2004

**MINUTES OF A SPECIAL MEETING OF THE
MAYOR AND COUNCIL
HELD TUESDAY, AUGUST 10, 2004**

The meeting was called to order by Mayor McPherson at 6:10 p.m. with the following Councilmembers present:

Councilmember Frazier
Councilmember Fecanin
Councilmember Bartlett
Councilmember Matthews
Councilmember Keyes
Councilmember Arnold was absent

Councilmember Fecanin asked those present to join him in a salute to the flag followed by a moment of silent prayer.

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Councilmember Fecanin read the provisions of the Open Public Meetings Law.

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Councilmember Fecanin opened the hearing of citizens. As no citizen wished to speak, Councilmember Fecanin closed the hearing of citizens.

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Councilmember Fecanin introduced Steven Wielkotz, Borough Auditor.

Borough Engineer Justin Lizza introduced Matthew Neuls who will be taking over his responsibilities.

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Under the consent agenda, Councilmember Bartlett moved the following resolution, seconded by Councilmember 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 \$149.50. payable to Catalog.com for Web Site hosting.

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- 2. In the amount of \$20. payable to Brian Kelly for Recreation refund..
- 3. In the amount of \$152. payable to Sandra Dato for Recreation refund.
- 4. In the amount of \$20. payable to Mark Whitman as recreation refund.
- 5. In the amount of \$10. payable to Loretta Murawa as recreation overpayment.

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Mayor McPherson commended the Finance Committee and said that with the retirement of CFO Cortright there were some obstacles and burdens not experienced last year. She said that Ed Cortright has been very cooperative and she thanked the Auditors and Bond Counsel for their assistance. The Mayor said the amendment reflects \$100,000 being donated by Felician College for the Tryon Field project. She said they anticipate some other additional amendments for our meeting on Tuesday (the revenue side), and they are still diligently working on the budget.

For **FINANCE**, Councilmember Keyes moved the following resolution, seconded by Councilmember Bartlett with all members present voting aye:

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2004 was approved on March 9, 2004; 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 2004 be made:

Recorded Vote

	(Councilmember Frazier	(((Councilmember Arnold
Ayes	(Councilmember Fecanin	<u>Nays</u> (<u>Abstained</u> (<u>Absent</u> (
	(Councilmember Matthews	(((
	(Councilmember Bartlett	(((
	(Councilmember Keyes	(((

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<u>REVENUES</u>	<u>From</u>	<u>To</u>
1. Miscellaneous Revenues - Section B		
State Aid without offsetting Appropriations		
Extraordinary Aid	0	380,000.
Municipal Homeland Security Assistance Aid		70,000.
Total Section B: State Aid without Offsetting Appropriations	1,876,215.	2,326,215.
2. Miscellaneous Revenues - Section F:		
Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations		
Clean Communities Program	14,539.	15,561.
Alcohol Education and Rehabilitation Fund	0	63.
Click it or Ticket Grant	0	5,000.
New Jersey Meadowlands Commission - Municipal Assistance Grant	0	150,000.
Felician College Donation	0	13,000.
Total Section F: Special Items of General Revenue Anticipated With Prior Written Consent of Director of Local Government Services - Public and Private Revenues	310,743.	479,828
3. Miscellaneous Revenues - Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special items		
Additional Municipal Court Revenues	61,047.	0
Felician College Donation	13,000.	0
Felician college Field Sponsorship	0.	100,000.
Hotel Occupancy Fee P.L. 2003,c.114	0.	44,000.
Sale of DPW Garage	1,000,000.	1,295,000.
Sponsorship Revenues from Special Events	50,000.	0.
Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items	1,460,189.	1,775,142.
TOTAL MISCELLANEOUS REVENUES	5,200,724.	6,134,762.
5. SUBTOTAL GENERAL REVENUES (Items 1,2,3 and 4)	7,108,724.	8,042,762.
6. (A) Local Tax for Municipal Purpose Including Res. For Uncollected Taxes	14,706,156.	14,376,109.
TOTAL AMOUNT TO BE RAISED BY TAXES FOR SUPPORT OF MUNICIPAL BUDGET	14,706,156.	14,376,109.
7. TOTAL GENERAL REVENUES (Items 5 and 6)	21,814,889.	22,418,871

APPROPRIATIONS

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8. (A) Operations within "CAPS"			
Financial Administration			
Salaries and Wages	227,212.		267,212.
Auditing and Accounting Services	16,500.		21,500.
Legal Services and costs			
Other Expenses	220,000.		220,000
Police			
Salaries and Wages	3,964,994.		4,281,000.
Street and Road Maintenance			
Salaries and Wages	985,000.		928,000.
Other Expenses	164,100.		214,000.
Public Buildings and Grounds			
Other Expenses	112,000.		122,000.
July 4 th Celebration offset by Felician College			
Donations	13,000.		0.
Street Lighting	182,000.		200,000.
Water	23,000		28,000.
Gasoline	95,000.		102,000.
TOTAL OPERATIONS (Item 8 (A) Within "CAPS"	12,169,791.		12,570,697.
TOTAL OPERATIONS INCLUDING CONTINGENT WITHIN "CAPS"	12,219,791.		12,620,697.
Detail:			
Salaries and Wages	8,978,123.		9,277,129..
Other Expenses (Including Contingent)	<u>3,241,668.</u>		<u>3,343,568.</u>
(H-1) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES WITHIN "CAPS"	12,773,591.		13,174,497.
8. (A) Operations - Excluded from "CAPS"			
Public and Private Programs Offset by Revenues			
Clean Communities Program	14,539.		15,561.
Alcohol Education and Rehabilitation Fund	0.		63.
Click it or Ticket Grant	0.		5,000.
New Jersey Meadowlands Commission - Municipal Assistance Grant	0.		150,000.
July 4 th Celebration offset by Felician College			
Donations	0.		13,000.
Total Public and Private Programs Offset by Revenues	314,673.		483,758.
TOTAL OPERATIONS - EXCLUDED FROM "CAPS"	6,368,289.		6,537,374.
Detail:			
Other Expenses	<u>6,114,188.</u>		<u>6,283,273.</u>
8. (c) Capital Improvements - Excluded from "CAPS"			
Capital Improvement Fund	100,000.		125,000.
TOTAL CAPITAL IMPROVEMENTS EXCLUDED FROM "CAPS"	100,000		125,000
8. (D) Municipal Debt Service - Excluded from "CAPS"			
Interest on Notes	24,964.		33,964.
TOTAL MUNICIPAL DEBT SERVICE EXCLUDED FROM "CAPS"	1,487,000.		1,496,000.

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(H-2) TOTAL GENERAL APPROPRIATIONS FOR MUNICIPAL PURPOSES EXCLUDED FROM "CAPS"	8,131,289.	8,334,374.
(O) TOTAL GENERAL APPROPRIATIONS - EXCLUDED FROM "CAPS"	8,131,289.	8,334,374.
(L) SUBTOTAL GENERAL APPROPRIATIONS (Items (H-1) and (O))	20,904,880.	21,508,871.
9. TOTAL GENERAL APPROPRIATIONS	21,814,880.	22,418,871.

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 his/her certification of the 2004 Local Municipal Budget so amended; and

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 *Record* in the issue of August 13, 2004, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Council Chambers on August 17, 2004 at 8:00 o'clock p.m.

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the Governing Body on the 10th day of August, 2004.

Certified by me, this 10th day of August, 2004

Municipal Clerk

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Councilmember Keyes asked the Borough Administrator to speak regarding his recommendation for replacement of Christine Leebardt.

Borough Administrator Stafford said that when Ms. Leebardt gave notice of retirement his office advertised for a replacement and received dozens of resumes. He said that he endeavored to interview everyone he could. Mr. Stafford said that Robin Esposito is the person that he is recommending be appointed. He said that she has served as Assistant to the Construction Official from January 2003 thru June of this year when she was temporarily reassigned to his office. Mr. Stafford said that she has served in the position of Executive Assistant both at Spherion Technology and Cendant Corporation in addition to various other professional experiences. He said that since joining his team she has shown herself to be detail oriented and organized, has demonstrated excellent written and verbal communication skills, has prioritized, anticipated the needs of the office and able to work in a fast moving environment. Mr. Stafford recommended she be appointed to the full-time position effective Sept. 27th, 2004 with the title of Confidential Assistant.

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For POLICE, and under the consent agenda, Councilmember Bartlett moved the following resolution, seconded by Councilmember Frazier with all members present voting aye:

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

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

Rutherford Elks Club

Draw Raffle

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Under the consent agenda, Councilmember Bartlett moved approval for two Rutherford Police Detectives to attend a seminar on “Underage Drinking” in San Diego, California on August 23 thru 28. This training has been budgeted in Police Education Line item. Motion seconded by Councilmember Frazier with all members present voting aye.

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For PUBLIC WORKS, and under the consent agenda, Councilmember Bartlett moved approval for the county to use one of our bus for Sept 8th Senior Picnic in Van Saun Park, seconded by Councilmember Frazier with all members present voting aye.

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Mayor Appointments:

Tom Verdino, Acting DPW Superintendent to the OEM Committee.

Robin Esposito to the full time position of Confidential Assistant to the Borough Administrator effect Sept. 27, 2004 in accordance with NJ Dept. of Personnel. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Fecanin with all members present voting aye.

David Lafferty as the Alternate Disciplinary Hearing Officer effective immediately. Confirmation moved by Councilmember Bartlett, seconded by Councilmember Keyes with all members present voting aye.

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For **Ordinance on First Reading**, Councilmember Keyes moved AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE REGULATING THE EMPLOYMENT, TENURE AND DISCHARGE OF

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CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF RUTHERFORD, UNDER THE PROVISIONS OF THE CIVIL SERVICE ACT (TITLE 11, N.J. REV. STAT.) OF NEW JERSEY, NO. 3045-04 ADOPTED JULY 27, 2004 be read by title only by the Clerk, seconded by Councilmember Bartlett with all members present voting aye. This ordinance establishes a salary for the position of Confidential Assistant.

The Clerk read the ordinance by title only.

Councilmember Keyes moved AN ORDINANCE TO AMEND AND SUPPLEMENT AN ORDINANCE ENTITLED “AN ORDINANCE REGULATING THE EMPLOYMENT, TENURE AND DISCHARGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF RUTHERFORD, UNDER THE PROVISIONS OF THE CIVIL SERVICE ACT (TITLE 11, N.J. REV. STAT.) OF NEW JERSEY, NO. 3045-04 ADOPTED JULY 27, 2004 be passed on first reading and advertised according to law, seconded by Councilmember Bartlett with all members present voting aye.

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For **Ordinance on second reading**, Councilmember Keyes moved 2004 “CAP” ORDINANCE TO EXCEED RATE; INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S.A.40A:4-45,14) be read by title only by the Clerk, seconded by Councilmember Frazier with all members present voting aye.

The Clerk read the ordinance by title only.

Councilmember Keyes asked the Mayor to open the meeting for a public hearing on this ordinance. Mayor McPherson opened the meeting for a public hearing.

As no citizen wished to speak, Mayor McPherson closed the public hearing.

Councilmember Keyes moved 2004 “CAP” ORDINANCE TO EXCEED RATE; INDEX RATE LESS THAN 5% LIMITATION FOR THE YEAR 2004 (N.J.S.A.40A:4-45,14) be passed on second and final reading and advertised according to law, seconded by Councilmember Bartlett with all members present voting aye.

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Councilmember Bartlett said that in response to complaints from citizens regarding parking, he gave the Council a copy of a residents only parking sticker ordinance from WoodRidge. He asked this be put on the agenda for the worksession in September,.

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Councilmember Fecanin moved the following resolution, seconded by Councilmember Frazier 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 August 10, 2004 at 6:40 p.m. in Borough Hall Committee of the Whole Room to discuss negotiations; 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 6:55 p.m. and Councilmember Fecanin moved to adjourn, seconded by Councilmember Bartlett with all members present voting aye.

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Borough Clerk