RE-ORGANIZATION MAYOR & COUNCIL MEETING JANUARY 1, 2015

This meeting is the Re-Organization Meeting of the Mayor and Council of the Borough of East Rutherford and is called pursuant to the provisions of the Open Public Meetings Law. This meeting was transmitted to the three newspapers listed below on December 10, 2014, posted on the bulletin board at the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

The Herald & News

The Record

The Bergenite

TIME: 1:00 PM

MAYOR CASSELLA OPENED THE MEETING AND ASKED THE CLERK TO READ THE RESULTS OF THE NOVEMBER 2014 ELECTION:

COUNCILMEN:

SAVERIO STALLONE

(3 YEAR TERM)

EDWARD RAVETTINE

(3 YEAR TERM)

SENATOR SARLO SWORE IN COUNCILMAN STALLONE AND COUNCILMAN RAVETTINE. SENATOR SARLO AND CONGRESSMAN SCHAER THEN SPOKE.

FLAG SALUTE

MAYOR CASSELLA ASKED THE CLERK TO TAKE THE ROLL CALL

ROLL CALL:

Councilmember	Present	Absent
Brizzi	X	
Homaychak	X	
Lahullier	X	
Perry	X	
Stallone	X	
Ravettine	X	

FR. ST GAVE THE INVOCATION

MAYOR CASSELLA READ THE OPEN PUBLIC MEETINGS ACT STATEMENT

Mayor Cassella asked for a nomination for Council President for 2015.

A motion was made to nominate George Perry as Council President for 2015:

Moved: Councilman Lahullier Second: Councilman Brizzi

Roll Call: All Ayes

Councilman Perry was sworn in as Council President for 2015

Mayor Cassella submitted the following 2015 list of crossing guards for appointment:

CROSSING GUARDS FOR THE YEAR 2015

Linda Amatuzzo	Steve Biasucci	Judy Brune
Devin Baez	Pat Capelli	Denise Christensen
Rita Clifford	Carol Coronato	Joe Demellier
Maureen Dyson	Donald Gray	Karen Greco
Teresa Hugo	Darlene Kassner	Diane Minervini
Anthony Molnar	Cynthia Morris	Catherine Murphy
Maria Nelson	Alice Neubauer	Barbara Olivari
Jose Pulgar	Donna Rigano	Kathy Roberts
Kelly Schanel	Dolores Schiraldi	Brad Steinberger
Jody Swift	Jenn Swiston	Judy Triguero
Robert Triguero	Tammy Verdugo Gil	Cornelia Weiss
Paul Weiss	Kay Wilson	Danielle Zuwatsky
Vicky O'Brien		

Moved: Councilman Brizzi

Second: Councilman Homaychak

Roll Call: All Ayes

Mayor Cassella submitted the following resolutions for approval:

RESOLUTION #1

BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford, that the Municipal Clerk be designated as Official Searcher for Assessments for the year 2015.

Moved: Councilman Stallone Second: Councilman Homaychak

WHEREAS, N.J.S. 40A:5-14 requires every municipality to annually adopt a cash management plan and to designate official depositories for the funds of the borough;

WHEREAS, the Chief Financial Officer has recommended and the Mayor and Council concur with the attached cash management plan;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford that Capital One Bank and all banks in New Jersey be designated as the official depositories of the funds of the Borough of East Rutherford;

BE IT FURTHER RESOVLED by the Mayor and Council of the Borough of East Rutherford that the Chief Financial Officer is authorized to purchase and arrange safe keeping investments allowed by N.J.S. 40A:5-15.1 from any financial institution within the State of New Jersey offering the best competitive rate.

Moved: Councilman Brizzi Second: Councilman Lahullier

Roll Call: All Ayes

RESOLUTION #3

BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford that The Herald News, The Record, The Star Ledger and The Bergenite be designated as the official newspapers of the Borough for the year 2015.

Moved: Councilman Homaychak Second: Councilman Stallone

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency prior to the end of the calendar year;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford, County of Bergen, State of New Jersey as follows:

- 1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31, an additional penalty of 6% shall be charged against the delinquency. Real estate taxes for 2014 will be advertised for sale after March 1, 2015.
- 2. Effective January 1, 2015 there will be a ten-day grace period of quarterly tax payments made by cash, check or money order.
- 3. Any payments not made in accordance with paragraph two of the resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

Moved: Councilman Stallone Second: Councilman Lahullier

WHEREAS, the statutory maximum interests permitted to be charged for unpaid fees is one and one-half (1 ½%) percent per month;

WHEREAS, the East Rutherford Public Works & Utilities Commission has a policy of charging one (1 ½ %) percent per month interest on any unpaid balances; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that effective January 1, 2015, all past due balances to the East Rutherford Pubic Works & Utilities Commission shall accrue interest at the rate of one and one-half (1 ½%) percent per month.

Moved: Councilman Homaychak

Second: Councilman Brizzi

Roll Call: All Ayes

RESOLUTION #6

BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford, that the 2015 meetings of the Council will be held on the 3rd Tuesday of each month in the Council Chambers of the Municipal Building unless otherwise noted. The work session meeting will begin at 5:30PM and the regular session meeting will begin at 7:00PM.

JANUARY 20, 2015

FEBRUARY 17, 2015

MARCH 17, 2015

APRIL 21, 2015

MAY 19, 2015

JUNE 16, 2015

JULY 21, 2015

AUGUST 18, 2015

SEPTEMBER 15, 2015

OCTOBER 20, 2015

NOVEMBER 16, 2015 (Monday)

DECEMBER 15, 2015

Moved: Councilman Homaychak Second: Councilman Stallone

BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford that the Mayor and/or the Municipal Clerk will sign all municipal contracts for the year 2015.

Moved: Councilman Homaychak Second: Councilman Stallone

Roll Call: All Ayes

RESOLUTION #8 AUTHORIZING THE AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Borough of East Rutherford is in need of the services of an Animal Control Officer for the year 2015; and

WHEREAS, Tyco Animal Control Service, 1 Stout Lane, HoHoKus, NJ has submitted a proposal indicating that they supply those services; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

NOW, THEREFORE BE IT RESOLVED that the Borough of East Rutherford will enter into a contract with Tyco Animal Control Services for the year 2015:

- 1. Subject to its compliance with the terms of this resolution, Tyco Animal Control will perform all necessary animal control services within the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. The term of this contract shall be for one calendar year starting January 1, 2015 thru December 31, 2015.
- 4. Such appointment shall be subject to the preparation and execution by the Mayor of a professional services contract.
- 5. A copy of this Resolution, or, in the discretion of the Borough Clerk, a notice summarizing the terms of this resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Homaychak

Second: Councilman Brizzi

Roll Call: Ayes - Homaychak, Brizzi, Perry, Lahullier, Stallone

No – Ravettine

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Prosecutor to prosecute cases to be tried before the Borough Court alleging a violation of the criminal laws of the State of New Jersey, the Ordinances of the Borough, the Motor Vehicle Statutes of the State of New Jersey, and such other cases as may be designated by the Governing Body and appear before the Council upon its request to prosecute any matter which may be within its jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The contract for the position of Borough Prosecutor is hereby awarded to Andrew Cimiluca, Esq. of 202 Hayes Drive, Saddle Brook, NJ, 07663 who shall be paid for such services a sum as shall be fixed by the Governing Body in the annual Salary Ordinance.
- 2. The above services are hereby awarded for the term of one year being January 1, 2015 through December 31, 2015.
- 4. A notice of this action shall be printed once in a newspaper authorized by law to publish its legal advertisements.
- 5. A copy of this resolution is available for public inspection in the office of the Borough Clerk.

Moved: Councilman Homaychak Second: Councilman Brizzi

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Public Defender for whom it shall be the duty to represent indigent defendants in the Municipal Court when a defendant is charged with an offense, the conviction of which carries the possibility of a sentence or imprisonment; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The contract for the position of Municipal Public Defender is hereby awarded to Richard Potter, Esq. of 55 State Street, Hackensack, NJ without competitive public bidding who shall be paid for such services a sum that shall be fixed by the Governing Body in the annual Salary Ordinance.
- 2. The above position is hereby awarded for the term of one (1) calendar year, beginning January 1, 2015 through December 31, 2015.
- 3. A notice of this action shall be printed once in a newspaper authorized by law to publish its legal advertisements.
- 4. A copy of this resolution is available for public inspection in the office of the Borough Clerk.

Moved: Councilman Brizzi

Second: Councilman Homaychak

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an alternate Borough Prosecutor in the absence of the Borough Prosecutor to prosecute cases to be tried before the Borough Court alleging a violation of the criminal laws of the State of New Jersey, the Ordinances of the Borough, the Motor Vehicle Statutes of the State of New Jersey, and such other cases as may be designated by the Governing Body and appear before the Council upon its request to prosecute any matter which may be within its jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The contract for the position of Alternate Borough Prosecutor is hereby awarded to Ron Dario, Esq. of Dario, Juarez, Albert & Eyerman, 345 Union Avenue, Hackensack, NJ, who shall be paid for such services directly by the Borough Prosecutor.
- 2. The above services are hereby awarded for the term of one year being January 1, 2015 through December 31, 2015.
- 3. A notice of this action shall be printed once in a newspaper authorized by law to publish its legal advertisements.
- 4. A copy of this resolution is available for public inspection in the office of the Borough Clerk.

Moved: Councilman Brizzi

Second: Councilman Homaychak

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Alternate Public Defender in the absence of the Public Defender for whom it shall be the duty to represent indigent defendants in the Municipal Court when a defendant is charged with an offense, the conviction of which carries the possibility of a sentence or imprisonment; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The contract for the position of Alternate Public Defender is hereby awarded to David Altieri, Esq. of Gallantucci & Paduto, 55 State Street, Hackensack, NJ, who shall be paid for such services directly by the Borough Public Defender.
- 2. The above services are hereby awarded for the term of one year being January 1, 2015 through December 31, 2015.
- 3. A notice of this action shall be printed once in a newspaper authorized by law to publish its legal advertisements.
- 4. A copy of this resolution is available for public inspection in the office of the Borough Clerk.

Moved: Councilman Lahullier Second: Councilman Stallone

RESOLUTION NO. 13

WHEREAS, there exists a need for the service of an attorney to represent the Borough of East Rutherford in the defense of tax appeals when the regular tax appeal defense counsel is unable to represent the Borough; and

WHEREAS, the maximum amount of the contract is \$5,000 and funds are available in the municipal budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The Mayor and Clerk are hereby authorized and directed to execute an agreement for legal services with James Novello, Esq. at an hourly rate of \$125.00.
- 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- 3. This contract is awarded as a non-fair and open process. The appointee has not made any contributions to any candidate, political party or other organization which would disqualify him from appointment under this process. The appointee shall sign such certifications and other documents required by law to confirm this eligibility.
- 4. A notice of this action shall be printed once in the official newspaper of the borough as required by the Local Public Contracts Law.

Moved: Councilman Lahullier Second: Councilman Stallone

PW & UC ATTORNEY

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a PW&UC Attorney who shall give all legal counsel and advice required by the Governing Body on all matters of P.W. & U.C. business. It shall be the duty of the Attorney to take all legal actions requested by the Governing Body and to follow up immediately; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Charles H. Sarlo, Esq., of Heights Plaza, 777 Terrace Avenue 6th floor, Hasbrouck Heights, NJ 07604 is hereby appointed for one (1) year as the PW&UC Attorney to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough.
- 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- 3. The Attorney shall be paid a sum of \$6,000.00 annually which shall include all work to be performed for the East Rutherford P.W. & U.C., attendance at all meetings, all communications and correspondence, both telephone and written and any other normal activities required of the attorney.
- 4. This contract is awarded as a non-fair and open process. The appointee has not made any contributions to any candidate, political party or other organization which would disqualify him from appointment under this process. The appointee shall sign such certifications and other documents as required by law to confirm this eligibility.
- 5. A notice of this action shall be published once in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Brizzi Second: Councilman Stallone

RENT CONTROL BOARD ATTORNEY

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Rent Control Board Attorney who shall give all legal counsel and advice required by the Rent Control Board; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Jeffrey Grabowski, Esq., of 239 Paterson Avenue, East Rutherford, NJ, is hereby appointed as the Rent Control Board Attorney to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Rent Control Board.
- 2. The Mayor and Clerk are hereby authorized and directed to execute an agreement for legal services with Jeffrey Grabowski, Esq.
- 3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- 4. The Attorney's services shall include all work to be performed for the Rent Control Board including attendance at all meetings, all communications and correspondence, both telephone and written, and any other normal activities required of the attorney.
- 5. This contract is awarded as a non-fair and open process. The appointee has not made any contributions to any candidate, political party or other organization which would disqualify him from appointment under this process. The appointee shall sign such certifications and other documents required by law to confirm this eligibility.
- 6. A notice of this action shall be printed once in the official newspaper of the borough as required by the Local Public Contracts Law.

Moved: Councilman Stallone Second: Councilman Brizzi

BOROUGH ATTORNEY

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Attorney to give all legal counsel and advice required by the Governing Body on all matters of Borough business. It shall be the duty of the Borough Attorney to take all legal actions requested by the Governing Body and to follow up immediately; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Richard J. Allen, Jr., Esq. of the firm Kipp & Allen, LLP, 52 Chestnut Street, Rutherford, NJ is hereby appointed Borough Attorney to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be for the term of one year beginning January 1, 2015 and ending December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Lahullier Second: Councilman Homaychak

BOROUGH AUDITOR

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Auditor to take all action required by the Governing Body and follow up immediately with regard to all financial information and accounting needed by the Borough; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Paul W. Garbarini, CPA, RMA, PSA, CMFO of the firm Garbarini & Co. P.C., Division Avenue & Route 17S, Carlstadt, NJ 07072 is hereby appointed Borough Auditor to perform all necessary financial and accounting services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Garbarini & Co. P.C. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Lahullier Second: Councilman Homaychak

RESOLUTION #18A

INSURANCE CONSULTANT

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Insurance Consultant/Agent to take all action required by the Governing Body and follow up immediately with regard to all services pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, a portion of the required insurance coverage will be provided through the South Bergen Municipal Joint Insurance Fund as permitted by Chapter 372 of the Laws of 1983 (40A:10-36) and the remainder will be provided through the normal channels of private insurance companies; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. James V. Gardella of the firm Professional Insurance Associates, Inc., 429 Hackensack Street, Carlstadt, NJ 07072 is hereby appointed Insurance Consultant/Agent to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Professional Insurance Associates, Inc. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Stallone Second: Councilman Brizzi

RESOLUTION #18B INSURANCE CONSULTANT

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Insurance Consultant/Agent to take all action required by the Governing Body and follow up immediately with regard to all services pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, a portion of the required insurance coverage will be provided through the Bergen Municipal Employee Benefit Fund (dental only) as permitted by Chapter 372 of the Laws of 1983 (40A:10-36) and the remainder will be provided through the normal channels of private insurance companies; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. James V. Gardella of the firm Professional Insurance Associates, Inc., 429 Hackensack Street, Carlstadt, NJ 07072 is hereby appointed Insurance Consultant/Agent to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Professional Insurance Associates, Inc. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Stallone Second: Councilman Brizzi

BOROUGH ENGINEER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Engineer to take all action required by the Governing Body and follow up immediately with regard to all engineering services; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Glenn M. Beckmeyer, P.E., P.P., CME of the firm Beckmeyer Engineering, P.C., 117 Herman Street, East Rutherford, NJ 07073 is hereby appointed Borough Engineer to perform all necessary engineering services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Beckmeyer Engineering, P.C. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Brizzi

Second: Councilman Homaychak

LABOR ATTORNEY

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Labor Attorney to provide legal counsel and services in connection with personnel matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. David F. Corrigan, Esq. of 54B West Front Street, Keyport, NJ 07735 is hereby appointed as Labor Attorney to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and David F. Corrigan, Esq. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Brizzi

Second: Councilman Homaychak

TAX APPEAL COUNSEL/ SPECIAL LEGAL COUNSEL

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Tax Appeal Counsel to provide legal counsel and services in connection with tax appeals; and

WHEREAS, there exists in the Borough of East Rutherford a need for the services of Special Legal Counsel to provide legal counsel and services in connection with various borough matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Stephen P. Sinisi, Esq. of the Law Office of Stephen Sinisi, Two Sears Drive, 2nd floor, Paramus, NJ 07653 is hereby appointed to the positions of Tax Appeal Counsel and Special Legal Counsel to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Stephen Sinisi, Esq. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Stallone Second: Councilman Ravettine

RESOLUTION #22A

BOND COUNSEL

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Bond Counsel to provide legal counsel and services in connection with bond ordinances and procedures and public finance matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. John L. Kraft, Esq., 505 Thornall Street, Suite 206, Edison, NJ 08837 is hereby appointed as Bond Counsel to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and John L. Kraft, Esq. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Lahullier Second: Councilman Brizzi

RESOLUTION #22B

BOND COUNSEL

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Bond Counsel to provide legal counsel and services in connection with bond ordinances and procedures and public finance matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. McManimon & Scotland, LLC of 1037 Raymond Blvd Suite 400, Newark, NJ 07102-5408 is hereby appointed as Bond Counsel to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and McManimon & Scotland, LLC of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Brizzi

Second: Councilman Homaychak

PW & UC ENGINEER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Public Works and Utilities Commission Engineer to provide services in connection with various PW & UC matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. The firm Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, NJ 07071 is hereby appointed PW & UC Engineer to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Neglia Engineering Associates of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Stallone Second: Councilman Homaychak

RESOLUTION #24A

SPECIAL PROJECTS ENGINEER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Special Projects Engineer to provide services in connection with various borough matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. The firm of Alaimo Group, 2 Market Street, Paterson, NJ 07501 is hereby appointed Borough Special Projects Engineer to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Alaimo Group of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Homaychak Second: Councilman Brizzi

RESOLUTION #24B

SPECIAL PROJECTS ENGINEER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Special Projects Engineer to provide services in connection with various borough matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. The firm of Remington, Vernick & Arango Engineers of 300 Penhorn Avenue, 3rd Floor, Secaucus, NJ 07094 is hereby appointed Borough Special Projects Engineer to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Remington, Vernick & Arango of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Brizzi

Second: Councilman Homaychak

Roll Call: Ayes – Brizzi, Homaychak, Perry, Lahullier, Stallone

No - Ravettine

BOROUGH PLANNER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Planner to provide services in connection with various borough matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. The firm of Remington, Vernick & Arango Engineers, 300 Penhorn Avenue, 3rd floor, Secaucus, NJ 07094, is hereby appointed Borough Planner to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and Remington, Vernick & Arango of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Lahullier Second: Councilman Brizzi

Roll Call: Ayes - Lahullier, Brizzi, Homaychak, Perry, Stallone

No - Ravettine

BOROUGH APPRAISER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of a Borough Appraiser to provide services in connection with various borough matters; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

WHEREAS, this appointment has been made pursuant to the Fair and Open process of the New Jersey Local Unit Pay to Play Law ("Pay to Play Law"), N.J.S.A. 19:44A-20.4 et. seq., and the Borough's financial officer has certified that the necessary funds are available.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. McNerney & Associates, Inc., 266 Harristown Road, PO Box 67, Glen Rock, NJ 07452-0067 is hereby appointed Borough Appraiser to perform all necessary services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Borough of East Rutherford.
- 2. It is hereby determined that such services involve such qualitative and professional services that specifications are not practical and public bidding is not appropriate, feasible or required.
- 3. Such appointment shall be subject to the preparation and execution by the Borough and McNerney & Associates, Inc. of a professional services contract whose term shall begin on January 1, 2015 and end on December 31, 2015.
- 4. A copy of this Resolution shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Lahullier Second: Councilman Brizzi

BOARD OF HEALTH ATTORNEY/SECRETARY

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Attorney and Secretary for the Board of Health who shall give all legal counsel and advice required by the Board; and

WHEREAS, such services involve such qualified services and knowledge that specifications cannot reasonably be formulated, and public bidding is not feasible; and

WHEREAS, N.J.S.A. 40A:11-5 of the Local Public Contracts Law exempts professional services from public bidding; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of East Rutherford, New Jersey, as follows:

- 1. Elsbeth J. Crusius, 267 Summit Avenue, Hackensack, New Jersey 07601 is hereby appointed as the Board of Health Attorney/Secretary to perform all necessary counseling and legal services, and any and all advice and assistance relating to such services with respect to any and all matters assigned by the Board.
- 2. The Attorney's services shall include all work to be performed for the Board including attendance at all meetings, all communications and correspondence, both telephone and written, and any other normal activities required of the attorney.
- 3. The Attorney will be paid a fee of \$3,400 a year for such services.
- 4. The above services are hereby awarded for the term of one year being January 1, 2015 through December 31, 2015.
- 5. A copy of this appointment shall be published in the official newspaper of the Borough of East Rutherford, within ten (10) days, according to law.

Moved: Councilman Homaychak Second: Councilman Stallone

RESOLUTION NO. 28

AUTHORIZING AGREEMENT FOR PROFESSIONAL SERVICES

WHEREAS, there exists a need for the service of redevelopment attorney for the Borough of East Rutherford to assist in structuring and negotiating a potential transaction with Triple 5, as successor developer in the Meadowlands Xanadu project; and

WHEREAS, neither Squires, Sanders and Dempsey, LLP nor any of its partners have made political contributions to any candidates for office in the Borough of East Rutherford or to any club or organization affiliated with any such candidate; and

WHEREAS, the maximum amount of the contract is \$100,000 and funds are available in the Meadowlands Xanadu escrow account; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The Mayor and Clerk are hereby authorized and directed to execute an agreement with Squires, Sanders and Dempsey, LLP.
- 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- 3. The redevelopment transaction under negotiation is unique, involving a potential financing pool, including private and all potential public finance sources of over \$1.8 billion dollars, of which the portion potentially involving the Borough is approximately \$300 million; and Squires Sanders and its principal Kenneth Bond, Esq. are qualified to assist the Borough in such endeavor having done so for many conduit type financial transactions of this size for other government agencies. The size and complex nature of the potential transaction is such that the expertise and reputation of Squires Sanders and its principal Kenneth Bond, Esq. is deemed critical and essential to protect the interest of the Borough in this potential transaction. Written specifications will not deliver the confidence level of the Mayor and Council which is essential for the success of this negotiation and for the protection of the Borough.
- 4. A notice of this action shall be printed once in the official newspaper of the borough as required by the Local Public Contracts Law.

Moved: Councilman Lahullier Second: Councilman Homaychak

RESOLUTION NO. 29

AGREEMENT FOR PROFESSIONAL FINANCIAL ADVISORY SERVICES

WHEREAS, there exists a need for a professional municipal financial advisor to assist the Borough in structuring and negotiating a potential redevelopment transaction with Triple 5 as successor developer of the Meadowlands Xanadu project, and

WHEREAS, the maximum amount of the contract is \$100,000 and funds are available in the Meadowlands Xanadu escrow account; and

WHEREAS, neither Government Capital Management LLC nor any of its principals have made political contributions to any candidates for office in the Borough of East Rutherford or to any club or organization affiliated with any such candidate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford as follows:

- 1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with Government Capital Management, LLC.
- 2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
- 3. The redevelopment transaction under negotiation is unique, involving a potential financing pool, including private and all potential public finance sources of over \$1.8 billion dollars, of which the portion potentially involving the Borough is approximately \$300 million; and Government Capital Management, LLC, and its principal Steven R Hoffmann is qualified to assist the Borough in such endeavor having done so for many financial transactions of this size for other government agencies including the City of Cleveland. The size and complex nature of the potential transaction is such that the expertise and reputation of Government Capital Management, LLC, and its principal Steven R Hoffmann is deemed critical and essential to protect the interest of the Borough in this potential transaction. Written specifications will not deliver the confidence level of the Mayor and Council which is essential for the success of this negotiation and for the protection of the Borough.
- 4. A notice of this action shall be printed once in the official newspaper of the borough as required by the Local Public Contracts Law.

Moved: Councilman Homaychak

Second: Councilman Brizzi

APPOINTING JEFFREY YANNACONE AS DEPUTY EMERGENCY MANAGEMENT COORDINATOR FOR THE BOROUGH OF EAST RUTHERFORD

WHEREAS, an Emergency Operations Plan for the Borough of East Rutherford was recertified on February 16, 2010;

WHEREAS, the Borough of East Rutherford has an established Office of Emergency Management dedicated to disaster mitigation, preparedness, response, and recovery activities;

WHEREAS, the Borough of East Rutherford receives funding from the Emergency Management Assistance Program;

WHEREAS, the Borough of East Rutherford wishes to appoint Jeffrey Yannacone as its Deputy Emergency Management Coordinator; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford that:

- 1. JEFFREY YANNACONE be and he is hereby appointed as Deputy Coordinator of the Office of Emergency Management for the Borough of East Rutherford and is vested with all responsibilities, duties, and authority of that position and is further authorized to act in that position and to coordinate with all government agencies, including but not limited to the New Jersey State Police Office of Emergency Management, County of Bergen, Department of Public Safety, Division of Emergency Management, and all other local, county, state and federal agencies relative to emergency management and any private and public bodies relative to the same.
- 2. JEFFREY YANNACONE shall serve in said capacity as a result of his recommendation and submission to said office by the Mayor of the Municipality and upon the advice, consent and affirmation of said appointment by the Council.
- 3. JEFFREY YANNACONE shall continue in said office for a three (3) year period of time for the Borough of East Rutherford, at a salary to be fixed by the Mayor and Council of the Borough.
- 4. JEFFREY YANNACONE shall receive compensation established by the Borough's annual salary ordinance, and compensation for response to incidents that occur during non-business hours at a rate of one and a half times his hourly rate as a Borough employee.

- 5. JEFFREY YANNACONE shall be required to complete 24 hours of Continuing Education pursuant to the requirements of the Emergency Management Assistance Program. Such training time shall be permitted during normal business hours at no expense to his earnings and/or personal, vacation, or sick time as a fulltime employee of the Borough. Any further training time beyond 24 hours shall only be authorized by the Borough Council through the Council's liaisons to the Local Emergency Planning Committee.
- 6. The Office of the Borough Clerk is hereby directed to file a Certified Copy of the resolution with all appropriate County and State Agencies.

Moved: Councilman Stallone Second: Councilman Lahullier

RESOLUTION #31 2015 TEMPORARY BUDGET

BE IT RESOLVED, by the Borough Council of the Borough of East Rutherford in accordance with the requirements of NJS 40A:4-19 of Local Budget Law, the following temporary budget be adopted for the period between the beginning of the budget year and the adoption of the final budget:

2015 TEMPORARY BUDGET

GENERAL GOVERNMENT	
Administrative and Executive	
Salaries and Wages	58,930.00
Other Expenses	4,460.00
Other Expenses-Code Publishing	1,600.00
Mayor and Council	
Salaries and Wages	9,800.00
Other Expenses	2,100.00
Elections	
Other Expenses	3,700.00
Financial Administration	
Salaries and Wages	24,670.00
Other Expenses	
Annual Audit	0.00
Misc. Other Expenditures	12,800.00
Purchasing	
Salaries and Wages	700.00
Assessment of Taxes	
Salaries and Wages	17,320.00
Other Expenses	1,650.00
Ordinance Enforcement	
Salaries and Wages	2,600.00
Redevelopment Agency	
Salaries and Wages	500.00
(R.S. 40:550-1) Other Expenses	2,700.00
Collection of Taxes	
Salaries and Wages	23,100.00
Other Expenses	2,800.00
Legal Services and Costs	
Salaries and Wages	0.00
Other Expenses	49,000.00
Tax Appeals	
Professional Fees	26,250.00

Engineering Services and Costs	
Salaries and Wages	800.00
Other Expenses	20,000.00
Public Buildings and Grounds	,
Other Expenses	25,000.00
Contracted Services	70,900.00
Municipal Land Use Law-Planning Board	·
Salaries and Wages	2,000.00
Other Expenses	9,700.00
Zoning Board of Adjustment	
Salaries and Wages	2,000.00
Other Expenses	2,700.00
Municipal Court	
Salaries and Wages	61,300.00
Other Expenses	5,200.00
Public Defender (P.L. 1997. C. 256)	
Salaries and Wages	2,700.00
Unemployment Compensation	65,000.00
Insurance	
Liability	186,400.00
Workmen's Compensation	177,500.00
Employee Group	710,000.00
Self-Insurance Eye Care	5,000.00
Rent Control Board	
Salaries and Wages	0.00
Other Expenses	0.00
PUBLIC SAFETY	
Fire	
Clothing Allowance	0.00
Other Expenses Operating/Gear Maint	16,000.00
Other Expenses Lease/Purchase Computer	
Equipment	0.00
Fire Alarm System	
Other Expenses	3,500.00
Fire Prevention & Life Safety	
Salary and Wages	
Fire Official	23,700.00
Other Salaries-Inspectors	4,000.00
Other Expenses	4,500.00

Salaries and Wages Other Expenses Salaries and Wages Other Expenses Salaries and Wages Other Expenses Other Exp	Police	
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RECREATION AND EDUCATION	
Board of Recreation Comm. (R.S. 4061-1 et. seq.)	
Salaries and Wages	7,000.00
Other Expenses	29,000.00
Celeb. of Public Events, Anniv. or Holiday	
Other Expenses	1,700.00
Senior Citizens	
Salaries and Wages	12,000.00
Other Expenses	6,000.00
<u>SANITATION</u>	
Garbage and Trash Removal	
Salaries and Wages	160,000.00
Other Expenses	0.00
Dumping Fees	
Sanitary Landfill-Contractual	80,000.00
STATE UNIFORM CONSTRUCTION CODE	
Salaries and Wages	
Construction Official	8,300.00
Sub Code Officials	
Building Inspector	0.00
Plumbing Inspector	4,900.00
Fire Inspector	4,700.00
Electrical Inspector	4,200.00
Other Salaries	17,300.00
Building Sub-Code Official	5,500.00
Mechanical Inspector	0.00
Other Expenses	4,000.00
Rent Expense	11,650.00

UTILITIES	
Street Lighting	79,000.00
Gasoline	49,000.00
Electricity	66,000.00
Telephone & Telegraph	34,000.00
Water	8,400.00
Fire Hydrant Service	35,000.00
Purchase of Postage	8,000.00
Vehicle Maintenance	
Salaries and Wages	24,200.00
Other Expenses	56,000.00
TOTAL	4,425,096.24
Contingent	500.00
TOTAL OPERATIONS INCLUDING CONTINGENT	4,425,596.24
STATUTORY EXPENDITURES	
Social Security (O.A.S.I.)	87,900.00
Pension of Widow Charles Swift (R.S. 43:12-28.1)	630.00
TOTAL DEFERRED AND STATUTORY	88,530.00
TOTAL GENERAL APPROPRIATIONS	4,514,126.24
Maintenance of Free Public Library	168,000.00
Judgment-Occidental	45,000.00
	0.00
Totals	267,390.00
Capital Improvement Fund	75,000.00
TOTAL CAPITAL IMPROVEMENTS	75,000.00

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MUNICIPAL DEBT SERVICE	
Payment of Bond Principal	2,189,751.19
Payment of Bond Anticipation Notes &	
Capital Notes	1,118,000.00
Interest on Bonds	1,114,119.12
Interest on Notes	27,320.00
Green Acres Trust Loan Program:	
Loan Repayments for Principal & Interest	33,302.39
BCIA Principal	345,000.00
BCIA Interest	713,275.00
TOTAL MUNICIPAL DEBT SERVICE	5,540,767.70
TOTAL WONICIPAL DEDT SERVICE	3,340,767.70
TOTAL GENERAL APPROPRIATIONS	10,397,283.95

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2015 TEMPORARY SEWER UTILITY BUDGET

Operating:	
Salaries & Wages	46,200.00
Other Expenses	474,000.00
Health Benefits	11,000.00
Debt Service:	
Bond Principal	34,147.81
Bond Interest	13,698.59
NJ Infrastructure Loan Principal	109,190.86
NJ Infrastructure Loan Interest	2,400.00
Statutory Expenditures:	
Social Security System (O.A.S.I)	3,400.00
Unemployment Compensation Insurance	840.00
TOTAL PW&UC APPROPRIATIONS	694,877.26

Moved: Councilman Stallone Second: Councilman Brizzi Roll Call: All Ayes

Mayor Cassella submitted the following board reappointments for approval:

Planning Board

Kaz Dabek Bob Roth

Moved: Councilman Lahullier Second: Councilman Stallone

Roll Call: All Ayes

Councilman Joel Brizzi

Moved: Councilman Homaychak Second: Councilman Lahullier

Roll Call: All Ayes

Zoning Board

Al Levy William Collins Rich Krajunus

Moved: Councilman Brizzi

Second: Councilman Homaychak

Roll Call: All Ayes

Mayor Cassella made the following Committee appointments:

COMMITTEE	CHAIRPERSON	CO-CHAIR
FINANCE	LAHULLIER	HOMAYCHAK
POLICE	BRIZZI	LAHULLIER
RECYCLING	BRIZZI	HOMAYCHAK
COURT	RAVETTINE	LAHULLIER
RECREATION	STALLONE	PERRY
DPW	HOMAYCHAK	BRIZZI
FIRE/EMERGENCY	LAHULLIER	PERRY
BLDG & GROUNDS	PERRY	LAHULLIER
CIVIC AFFAIRS	BRIZZI	PERRY
CARL/ER BD OF ED	HOMAYCHAK	RAVETTINE
ER BD OF EDUCATION	HOMAYCHAK	BRIZZI
PW & UC	LAHULLIER	MAYOR CASSELLA
VEHICLE MAINT	PERRY	STALLONE
PLANNING BD	BRIZZI	
MEMBER		

PERSONNEL	LAHULLIER	
COMMITTEE	PERRY	
	HOMAYCHAK	
BUILDING DEPT	BRIZZI	
TECHNOLOGY	HOMAYCHAK	
OPEN SPACE LIASION	RAVETTINE	
LEPC	FRANCIS JOSEPH, JR.	
(LOCAL EMERGENCY	JEFF YANNACONE	
PLANNING COMMITTEE)	POLICE CHIEF MINDA	
	CHIEF JUSTIN LAHULLIER	
	DANIELLE LORENC	
	PAUL DEROSA	
	ANTHONY BIANCHI	
	COUNCILMAN LAHULLIER	
	COUNCILMAN BRIZZI	
	JOHN GIANCASPRO	
	KEVIN FELTEN	
	PHIL TAORMINA	

Mayor Cassella read his New Year's address:

Good afternoon and thank you all for being here on this, the first day of 2015.

First let me congratulate Councilmen Sam Stallone and Ed Ravettine as they begin their terms on the East Rutherford council. I hope that we can put our differences aside and work together for the benefit of the people of East Rutherford. All of us were voted into office by the people and they expect nothing less from us. I look forward to working with both councilmen in 2015 as I do with Councilmen Brizzi; Perry; Lahullier and Homaychak.

My sincere thank you to Councilman Tom Banca for his dedicated service to East Rutherford. He worked hard for the people of our community as a member of this governing body for 6 years and I appreciate his efforts and the time he put into it.

2014, in some respects, was a turning point in our financial position which is much more positive than it has been in recent years. This governing body, in 2014, worked hard to control spending, as did our employees and that, along with the Giant's training facility settlement with the New Jersey Sports and Exposition Authority, has put us on a path to financial stability. Although we are still not where we need to be, we have progressed and hopefully, that will continue into 2015 and beyond but that will only happen if we do not

let ourselves revert back to some of the things that put us into the position we found ourselves in and we are able to overcome the obstacles we have to deal with that are not of our doing. In my very first New Year's address 19 years ago I spoke about how important financial stability was when trying to address the many issues facing us and that without it, success would not be obtainable.

Although it is difficult telling our dedicated and deserving employees that we have to stay within the State's 2% cap requirement and cannot offer higher raises, it does go a long way in keeping the municipal taxes stable. It is imperative that we, as we did in 2014, control our spending, hopefully find ways to reduce it and look for ways to increase our revenues, either through new ratables or non-property tax revenue sources.

I am proud of the fact that we have the lowest average property taxes for home owners, except for Teterboro, in Bergen County. As members of this governing body we are obligated, on behalf of the tax payers in East Rutherford, to try to maintain that status along with providing a positive quality of life for all our residents but even if we succeed in controlling our spending and are able to increase our revenues that still may not be enough because of these many obstacles we face that are not of our own doing.

It is not easy to achieve the balance we need between stable taxes and quality services, especially when the people running our state government come up with costly mandates and laws that find ways to divert monies to Trenton, monies that are rightfully ours, so they can use it to close their budget gaps. They saddle us, the municipalities, with these laws but exempt themselves from having to abide by them.

We have to contend with archaic property assessment laws. Some Supreme Court decisions have also made it more difficult for us. Then, of course, there are increases in some expenses that we have no control of but no matter what the obstacles are that we have to deal with, it is certainly worth the effort to work through them and it is still our job to try to achieve this balance on behalf of the taxpayers of East Rutherford.

This past year a tax appeal was filed by the Federal Reserve Bank which our attorneys and tax experts are diligently defending but this is an unusual situation. Because of it being federal property, the appeal was filed in the federal courts. Our professionals believe we are in a strong position but it is harder to gauge because it is being heard in federal court as opposed to State Tax Court. We are also dealing with a judgment from

the state court that ordered us to lower the assessment of the office building on Route 3 to seventy five million dollars but then it sold for one hundred nine million dollars, close to what we had it assessed for, which adversely affects our ratio and thus raises our tax rate, hurting every other tax payer. I have recommended, on behalf of the taxpayers, that we file an appeal arguing that that assessment should reflect the true market value. Unfortunately, it not just tax court decisions that create budget problems for us.

Insurance premiums have increased 13%. A family plan now costs us over \$24,000 dollars a year. Even single coverage, approaching \$10,000 a year, is escalating at an alarming rate. Putting this into prospective, if we hired someone for an annual salary of \$30,000 and they had a family, it would actually cost us \$54,000 dollars plus dental, prescription, eye glass and our share of the pension payment. The question we have to ask ourselves is how do we fund this without raising taxes? This is why we have to be careful that any hiring we do is absolutely necessary. Our insurance consultants are looking for ways we could reduce health benefits costs but right now the NJ Health Benefits are still the best option.

You have been hearing about it for the last 12 years, you have read about it and yes, I have talked about it pretty much in every New Year's address I have given during those years; Xanadu/American Dream. This year I had hoped to have something more positive to say but unfortunately all I can tell you is that we are still negotiating an agreement along with continuing to discuss, as we have from day one, the possibility that a State authority, such as the NJSEA, issue the non-recourse bonds. Our professional team with our municipal attorney Dick Allen, in the lead, continues to do a great job for us.

The same issues that we have spoken about for a while are still not agreed upon, such as insurance which would give us added protection and sewer agreements along with some other issues.

Because false information, at times, has been circulated which has resulted in people not completely understanding or being confused about this issue, I have to emphasize once again that these negotiations have not cost the tax payers a dime; never will and East Rutherford tax payers will never be at risk. If these two requirements are not met, along with a deal that will be financially beneficial for East Rutherford, then there is no deal.

This is not something we asked for nor even wanted; however, we always must keep in mind that after 40 years of dealing with the NJSEA, we should know that whether or not we approve of a NJSEA project, when it is in their jurisdiction they pretty much find ways to do what they want and if we just say we are against it, it does not matter. They will find a way to do it which could result in the project being done and we being left with nothing to show for it.

Right now, from the financial aspect of this, the proposed agreement with Triple Five would be financially beneficial. East Rutherford would be receiving well over one hundred million dollars plus other budget reductions.

Currently, more than at anytime in the past, it does seem that it may actually open. Leases have been signed and some construction work has been started. We can only hope that this American Dream issue is resolved one way or another in 2015.

In 2014 we finally completed the paving of Stanley Street although there is still some storm drain issues that need to be resolved. Also the long awaited park at 2 Carlton Avenue has been completed presenting an impressive entrance into East Rutherford. Thanks to the Historical Society for donating the "Welcome to East Rutherford" sign at this entrance.

The rehabilitation of the park at Clinton and Grove Streets is completed and is now the Anthony Gallo Memorial Park. It was dedicated this past October. Anthony who grew up within a few doors of the park and graduated from East Rutherford High School was killed in World War II. His family is still in town. Thanks to Councilman Lahullier for overseeing this project.

Once again, the summer concert series at Sessleman Park was a success in 2014. The concerts were well attended and having our National Night Out the same night as one of the concerts really worked out well. Thanks to Councilman Brizzi for his efforts in putting these concerts together at a minimal cost to the taxpayers. Also thank you to the Neighborhood Watch and our police department for an impressive National Night out.

Another community event, even with the weather issues, that was successful was the Columbus Day parade and street festival. And, of course, who could forget the day of the Super Bowl in East Rutherford. The "Tailgate" party on Park Avenue attracted close to seven thousand people who had a great time, was financially beneficial for our businesses

and most importantly, it created a very positive image for East Rutherford. People are still talking about it. I have to thank the Civic Pride Committee for the great job they did in organizing these two events. I do believe events like these are important to a community with the positive effect they generate.

We, in 2014, with the financial help of a county grant, started working on the Hackensack Street entrance to Riggin Field. This should be done, weather permitting, in the early part of 2015.

The council approved three areas of town to be in need of redevelopment and have authorized studies in some of the areas. We are hoping to have these studies completed in 2015.

The reason why the preferred approach to addressing the issues in these areas is redevelopment is because we still have a number of under used contaminated properties throughout the municipality and by incorporating them into redevelopment plans it helps us to bring in needed ratables plus it gives us and our residents an opportunity to have more control and say over what type of development will be allowed in these areas; however, we must also keep in mind that in a democracy property owners have right to develop their property just as we have a right to control what is built on that property but we do not have the right to deny development unless we buy the property which we cannot afford to do.

Also in 2015 we will be continuing with our road program. A number of streets are slated for resurfacing. We also are developing plans for new curbing and sidewalks along Carlton Avenue.

A new generator was installed at the sewer pump station. Because it was damaged during Sandy, we were eligible for FEMA money. Thanks to the work of John Giancaspro we will be receiving close to the total amount of what it cost us. Another generator is being installed at the civic center which should be completed the early part of 2015 and a third, with the help of a \$75,000 grant, is planned for Engine Company 2.

A new salt shed was installed at the Maple Street yard 2 weeks ago and is ready for use just in time for the worst part of the winter.

We continue to upgrade our equipment in all our departments which enhances our ability to make our community better serviced and better protected; in many cases using grant money or forfeiture money to offset the expense for tax payers. A good example of this was the purchase of security cameras with the use of forfeiture money.

The initial plan was to have cameras installed in our parks but after the tragedy at the Sandy Hook school in Connecticut and after a couple of incidents that required extensive police investigations, it was decided in discussions with the police, that we should have cameras installed in all our schools and at various locations throughout the municipality. They have worked well. In just the short time they have been in operation, they have been instrumental in apprehending 5 residential burglary suspects; assisted in the prosecution of a driver charged with driving while intoxicated in a school zone; identified the person responsible for property damage at one of our parks and also identified a vehicle being used to illegally dump waste. These are only a few of the many positive results that can be directly attributed to the installation of the security cameras.

The discussions with Rutherford and Norfolk Southern about acquiring the former railroad line that boarders East Rutherford and Rutherford between Maple Street and the Passaic River are ongoing. We have done the appraisals and now are looking to have another meeting, hopefully sometime this month. Councilman Lahullier has taken the lead with this project.

The council has continued to pursue sharing services with other municipalities. Councilman Brizzi has been working with Carlstadt and Rutherford on combining the building departments and Councilman Lahullier has been working on sharing our courts with Carlstadt and gasoline with both Carlstadt and Rutherford.

Much has been said about sharing services and consolidation and how it can save a municipality money which sounds great but when you start delving into it a little deeper you start to find that the savings aren't as great as some portend them to be plus there is always the possibility you could see a reduction in services. A recent report claimed that, in most cases, consolidation does not provide the savings that many have claimed it would. That is why the process takes so long. Both Councilman Lahullier and Council Brizzi want to be absolutely certain that there are financial benefits for East Rutherford when sharing services and if it is found that there aren't any then we will not proceed.

We are in the process of upgrading our website which is long overdue. This process had been overseen by Councilman Banca and Councilman Homaychak and now, in 2015, Councilman Homaychak will continue to take the lead with this project.

In 2015 we will be, once the money is appropriated, going out for bid for a new senior bus.

Along with the American Dream project three other Meadowlands issues we need to stay on top of in 2015 are the proposed merging of the NJSEA with the NJMC; residential development in the Meadowlands and the push for casinos and/or a convention center in East Rutherford. We have to make sure that any merger or absorption of one agency into the other does not affect any of our agreements with the NJSEA or create any other adverse effects. Obviously, as far as the other issues, we need to monitor the effect these initiatives will have on East Rutherford and to make sure that we have a seat at the table when any of these proposals are introduced. Unfortunately, so far, from everything I have heard or read, it does not seem very promising that common sense will be at the forefront of the Casino discussions.

As always I have nothing but praise for all our departments. I cannot say enough about Danielle and the work that she does. We have lost a good employee when John Giancaspro left but he has been ably replaced by Bill Jones, no stranger to the town, who in the short time in the position has been doing a fine job.

The DPW with less people has continues to provide our residents with the quality services that our residents deserve. The winter of 2014 was difficult but our DPW rose to the occasion. Fortunately, unlike the previous two falls when we were hit with major storms, this past fall, weather wise, was quiet; however; the DPW still was very busy with leaf collection and tree trimming.

Chief Larry Minda, as he always has, is doing an outstanding job overseeing our police department which once again, in 2014, performed in a manner that we can all be proud of.

Thank you to Chief John Giancaspro for his four years of service as a chief especially in 2014 as Chief of the department. Congratulations to the incoming chiefs, Chief Justin Lahullier; 1st Assistant Michael Felten; 2nd Assistant Michael Falco and 3rd Assistant Junior Joseph. I look forward to working with them. They will be overseeing an

outstanding department. We owe a debt of gratitude to all the members of the East Rutherford Fire Department, EMS and their families for the service they provide to the people of East Rutherford.

This past year the police department and fire department both received the recognition they so well deserved for their outstanding work leading up to and the day of the Super Bowl. All the various federal and state agencies had nothing but praise for both our departments which presented a positive image for East Rutherford. Also without the help of our police and fire departments and DPW along with all the volunteers, our 2014 Meadowlands Tailgate Party, held on Super Bowl Sunday, would not have achieved the success it had.

Because of the hard work of so many volunteers; the coaches and people that run them, our recreation programs continue to thrive.

Our library continues to improve with new programs and is busier than ever and I commend the staff for the work that they do.

Our courts and building department, in 2014, handled an extraordinary amount of activity and I believe 2015 will be no different. Both departments are under much pressure and because of the number of people who need to be attended to, it just adds to the difficulty. Our tax office should be at or over a 98% collection rate which far exceeds the previous few years.

We have so many wonderful volunteers and board members who dedicate their valuable time for the sole purpose of making East Rutherford a better place to live. Thank you to each and every one of them and thank you to our veterans, especially for their service defending this great nation of ours but also for their continuing service to our community. Please remember in your thoughts and prayers all of those many friends who were, in some way, a part of East Rutherford, some older and some way too young, who have passed on.

It is an honor for me to serve on this governing body and I thank the people of East Rutherford for the opportunity to have served them for so many years.

To all of you; to all our residents and to all who are associated with our great community may you have a happy, healthy and prosperous 2015.

Happy New Year and God Bless You.

Mayor Cassella asked for a motion to adjourn the Reorganization meeting at 2:00PM:

Moved: Councilman Brizzi

Second: Councilman Homaychak Roll Call: All Ayes

Danielle Lorenc, RMC