

**RE-ORGANIZATION
MAYOR & COUNCIL MEETING
JANUARY 1, 2016**

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 7, 2015, 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: 12:01 PM

IN COUNCIL PRESIDENT PERRY'S ABSENCE, COUNCILMAN BRIZZI OPENED THE MEETING AND ASKED THE CLERK TO READ THE RESULTS OF THE NOVEMBER 2015 ELECTION:

MAYOR:	JAMES L. CASSELLA	(4 YEAR TERM)
COUNCILMEN:	GEORGE PERRY	(3 YEAR TERM)
	JEFFREY LAHULLIER	(3 YEAR TERM)

HONORABLE PETER MELCHIONNE SWORE IN MAYOR CASSELLA AND SENATOR SARLO SWORE IN COUNCILMAN LAHULLIER. COUNCILMAN PERRY WAS SWORN IN PRIOR TO THE SINE DIE MEETING DUE TO ILLNESS.

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 2016.

A motion was made to nominate Michael Homaychak as Council President for 2016:

Moved: Councilman Brizzi
Second: Councilman Lahullier
Roll Call: Ayes – Brizzi, Lahullier, Stallone, Ravettine
Abstain – Homaychak
Absent – Perry

Councilman Homaychak was sworn in as Council President for 2016

Mayor Cassella submitted the following 2016 list of crossing guards for appointment:

CROSSING GUARDS FOR THE YEAR 2016

Linda Amatuzzo	Steve Biasucci	Judy Brune
Robin Doyle	Lori Michalski	Denise Christensen
Rita Clifford	Carol Coronato	Joe Demellier
Teresa Hugo	Darlene Kassner	Diane Minervini
Vicky O'Brien	Cynthia Morris	Catherine Murphy
Maria Nelson	Alice Neubauer	Barbara Olivari
Jose Pulgar	Donna Rigano	Donald Gray
Kelly Schanel	Dolores Schiraldi	Karen Greco
Jody Swift	Jenn Swiston	Judy Triguero
Robert Triguero	Tammy Verdugo Gil	Cornelia Weiss
Paul Weiss	Kay Wilson	Danielle Zuwatsky

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

Mayor Cassella submitted the following resolutions for approval:

RESOLUTION #1 -2016

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 2016.

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

RESOLUTION #2 - 2016

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 Lahullier

Second: Councilman Stallone

Roll Call: All Ayes

RESOLUTION #3 - 2016

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 2016.

Moved: Councilman Homaychak

Second: Councilman Brizzi

Roll Call: All Ayes

RESOLUTION #4 – 2016

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 2015 will be advertised for sale after March 1, 2016.
2. Effective January 1, 2016 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 Lahullier
Second: Councilman Homaychak
Roll Call: All Ayes

RESOLUTION #5 - 2016

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, 2016, 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 Lahullier
Second: Councilman Stallone
Roll Call: All Ayes

RESOLUTION #6 - 2016

BE IT RESOLVED by the Mayor and Council of the Borough of East Rutherford, that the 2016 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 19, 2016

JULY 19, 2016

FEBRUARY 16, 2016

AUGUST 16, 2016

MARCH 15, 2016

SEPTEMBER 20, 2016

APRIL 19, 2016

OCTOBER 18, 2016

MAY 17, 2016

NOVEMBER 14, 2016 (Monday)

JUNE 21, 2016

DECEMBER 20, 2016

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

RESOLUTION #7 - 2016

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 2016.

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

**RESOLUTION #8 - 2016
AUTHORIZING THE AWARD OF A CONTRACT FOR
PUBLIC HEALTH SERVICES**

WHEREAS, the Borough of East Rutherford is in need of public health services as per the New Jersey Administrative Code, Title 8, Chapter 52 (Minimum Standards of Performance for Local Boards of Health) for the years 2016, 2017 and 2018; and

WHEREAS, the Bergen County Department of Health Services, One Bergen County Plaza, 4th floor, Hackensack, NJ 07601 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

WHEREAS, the anticipated term of this contract is for three years beginning January 1, 2016 through December 31, 2018; and

WHEREAS, 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. Subject to its compliance with the terms of this resolution, The Bergen County Department of Health Services is appointed to perform all necessary public health 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. Such appointment shall be subject to the preparation and execution by the Mayor of a professional services contract.
4. 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 Lahullier
Second: Councilman Stallone
Roll Call: Aye

**RESOLUTION #9 - 2016
AUTHORIZING THE AWARD OF A CONTRACT FOR
PUBLIC HEALTH NURSING SERVICES**

WHEREAS, the Borough of East Rutherford is in need of Public Health Nursing Services as per the New Jersey Administrative Code, Title 8, Chapter 52 (Minimum Standards of Performance for Local Boards of Health) for the year 2014; and

WHEREAS, the Hackensack University Medical Center, Health Awareness Regional Program (HARP), 87 Route 17 North, Maywood, NJ 07607 has submitted a proposal stating that they supply those services;

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

WHEREAS, the anticipated term of this contract is for one year beginning January 1, 2015 through December 31, 2015; and

WHEREAS, 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. Subject to its compliance with the terms of this resolution, HARP is appointed to perform all necessary public health nursing 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. Such appointment shall be subject to the preparation and execution by the Mayor of a professional services contract.
4. 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 Lahullier
Second: Councilman Homaychak
Roll Call: All Ayes

**RESOLUTION #10 - 2016
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 2016; 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 2016:

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, 2016 thru December 31, 2016.
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 Lahullier

Roll Call: All Ayes

RESOLUTION #11 - 2016
APPOINTMENT OF MUNICIPAL COURT JUDGE

WHEREAS, George O. Savino has served as Judge of the Borough of East Rutherford diligently and successfully in the past; and

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

1. George O. Savino is hereby appointed to a new term as Judge of the Municipal Court of the Borough of East Rutherford and shall be paid for such services a sum that shall be fixed by the Governing Body in the annual Salary Ordinance.
2. This appointment 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 Contract Law as public bidding for such qualitative and professional services would be inappropriate and impractical.
3. The above appointment is hereby awarded for the term of three (3) calendar years, being January 1, 2016 to December 31, 2018.
4. A notice of this action shall be printed once in a newspaper authorized by law to publish its legal advertisements.

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

Judge Savino was then sworn in by Senator Sarlo.

RESOLUTION #12 – 2016
APPOINTMENT OF BOROUGH PROSECUTOR

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.
2. The rate of pay for said position shall be set forth in a contract which shall be executed by Andrew Cimiluca and the Borough of East Rutherford.
3. The above services are hereby awarded for the term of one year being January 1, 2016 through December 31, 2016.
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 Lahullier
Second: Councilman Brizzi
Roll Call: All Ayes

RESOLUTION #13 – 2016
APPOINTMENT OF PUBLIC DEFENDER

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.
2. The rate of pay for said position shall be set forth in a contract which shall be executed by Richard Potter and the Borough of East Rutherford.
3. The above position is hereby awarded for the term of one (1) calendar year, beginning January 1, 2016 through December 31, 2016.
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 Lahullier
Second: Councilman Brizzi
Roll Call: All Ayes

RESOLUTION #14 – 2016
APPOINTMENT OF ALTERNATE BOROUGH PROSECUTOR

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Alternate Borough Prosecutor who shall serve 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 07601.
2. The position of Alternate Borough Prosecutor shall be paid directly by the Borough Prosecutor.
3. The above services are hereby awarded for the term of one year being January 1, 2016 through December 31, 2016.
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 Brizzi
Second: Councilman Homaychak
Roll Call: All Ayes

RESOLUTION #15 – 2016
APPOINTMENT OF ALTERNATE PUBLIC DEFENDER

WHEREAS, there exists in the Borough of East Rutherford a need for the services of an Alternate Public Defender who shall serve 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 John Bruno, Jr. Esq., of Bruno and Ferraro, 301 Route 17N, Rutherford, NJ 07070.
2. The position of Alternate Public Defender shall be paid directly by the Public Defender.
3. The above position is hereby awarded for the term of one (1) calendar year, beginning January 1, 2016 through December 31, 2016.
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 Brizzi
Second: Councilman Homyachak
Roll Call: All Ayes

RESOLUTION #16 -2016
APPOINTMENT OF SPECIAL TAX APPEAL COUNSEL

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 Ravettine
Roll Call: All Ayes

RESOLUTION #17 - 2016
APPOINTMENT OF 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, according to law.

Moved: Councilman Lahullier
Second: Councilman Homaychak
Roll Call: All Ayes

**RESOLUTION #18 - 2016
APPOINTMENT OF 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, 2016 and ending December 31, 2016.
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 Ravettine
Roll Call: All Ayes

**RESOLUTION #19 - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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
Roll Call: All Ayes

RESOLUTION #20A - 2016
APPOINTMENT OF INSURANCE CONSULTANT/RISK MANAGER

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, 2016 and end on December 31, 2016.
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 Ravettine
Second: Councilman Stallone
Roll Call: All Ayes

**RESOLUTION #20B - 2016
APPOINTMENT OF INSURANCE CONSULTANT FOR THE
BERGEN MUNICIPAL EMPLOYEE BENEFIT FUND**

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, 2016 and end on December 31, 2016.
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 Ravettine
Second: Councilman Stallone
Roll Call: All Ayes

**RESOLUTION #21 - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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 Ravettine
Second: Councilman Brizzi
Roll Call: All Ayes

**RESOLUTION #22 -2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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 Ravettine
Roll Call: All Ayes

RESOLUTION #23 - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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 Ravettine

Second: Councilman Brizzi

Roll Call: All Ayes

**RESOLUTION #24A - 2016
APPOINTMENT OF 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. Waters McPherson McNeill, PC, 300 Lighting Way, Secaucus, NJ 07096 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 Waters McPherson McNeill, PC of a professional services contract whose term shall begin on January 1, 2016 and end on December 31, 2016.
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 Ravettine
Second: Councilman Stallone
Roll Call: All Ayes

**RESOLUTION #24B - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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 Ravettine
Roll Call: All Ayes

**RESOLUTION #25 - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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: All Ayes

RESOLUTION #26A - 2016
APPOINTMENT 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, 2016 and end on December 31, 2016.
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
Roll Call: All Ayes

RESOLUTION #26B - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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
Roll Call: All Ayes

**RESOLUTION #27 - 2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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
Roll Call: All Ayes

**RESOLUTION #28-2016
APPOINTMENT OF 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, 2016 and end on December 31, 2016.
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: All Ayes

RESOLUTION #29 – 2016
APPOINTMENT OF REDEVELOPMENT ATTORNEY FOR TRIPLE 5

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 Ravettine
Roll Call: All Ayes

RESOLUTION # 30 – 2016
APPOINTMENT FOR 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 an 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 Lahullier
Second: Councilman Homaychak
Roll Call: All Ayes

**RESOLUTION #31
2016 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:

2016 TEMPORARY BUDGET

GENERAL GOVERNMENT

Administrative and Executive

Salaries and Wages	66,000.00
Other Expenses	4,500.00
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
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Financial Administration

Salaries and Wages	24,000.00
Other Expenses	
Annual Audit	0.00
Misc. Other Expenditures	12,800.00

Purchasing

Salaries and Wages	700.00
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Assessment of Taxes

Salaries and Wages	18,000.00
Other Expenses	1,700.00

Ordinance Enforcement

Salaries and Wages	2,600.00
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Redevelopment Agency

Salaries and Wages	500.00
(R.S. 40:550-1) Other Expenses	2,700.00

Collection of Taxes

Salaries and Wages	23,500.00
Other Expenses	2,900.00

Legal Services and Costs

Salaries and Wages	0.00
Other Expenses	77,000.00

Tax Appeals

Professional Fees	35,500.00
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Engineering Services and Costs

Salaries and Wages	0.00
Other Expenses	20,000.00
Public Buildings and Grounds	
Other Expenses	25,600.00
Contracted Services	63,400.00
Municipal Land Use Law-Planning Board	
Salaries and Wages	2,000.00
Other Expenses	10,100.00
Zoning Board of Adjustment	
Salaries and Wages	2,000.00
Other Expenses	2,700.00
Municipal Court	
Salaries and Wages	63,000.00
Other Expenses	7,100.00
Public Defender (P.L. 1997. C. 256)	
Salaries and Wages	2,700.00
Unemployment Compensation	29,000.00
Insurance	
Liability	100,000.00
Workmen's Compensation	95,000.00
Employee Group	715,000.00
Self-Insurance Eye Care	4,000.00
Rent Control Board	
Salaries and Wages	200.00
Other Expenses	0.00
<u>PUBLIC SAFETY</u>	
Fire	
Clothing Allowance	0.00
Other Expenses Operating	17,300.00
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	24,000.00
Other Salaries-Inspectors	3,900.00
Other Expenses	3,800.00
Police	
Salaries and Wages	1,455,000.00
Overtime	50,000.00
Sickpay	115,000.00

Other Expenses	25,000.00
911 Service	0.00
Police Cars Leasing Expense	0.00
Special Police	
Salaries and Wages	20,000.00
Other Expenses	200.00
Traffic Lights	
Other Expenses	5,000.00
Traffic Control	
Salaries and Wages	75,000.00
Other Expenses	200.00
First Aid Organization	
Other Expenses	4,000.00
Emergency Management Services	
Salaries and Wages	1,800.00
Other Expenses	3,000.00
First Responder	
Salaries and Wages	14,900.00
Towing Director	
Salaries and Wages	2,400.00
<u>STREETS AND ROADS</u>	
Roads Repairs and Maintenance	
Salaries and Wages	265,000.00
Other Expenses	14,000.00
Recycling Costs	5,000.00
Leased Vehicles	40,000.00
<u>HEALTH AND WELFARE</u>	
Health Department	
Salaries and Wages	0.00
Other Expenses	35,000.00
<u>RECREATION AND EDUCATION</u>	
Board of Recreation Comm. (R.S. 4061-1 et. seq.)	
Salaries and Wages	11,000.00
Other Expenses	30,000.00
Celeb. of Public Events, Anniv. or Holiday	
Other Expenses	2,000.00
Senior Citizens	
Salaries and Wages	11,700.00
Other Expenses	6,000.00
<u>SANITATION</u>	
Garbage and Trash Removal	
Salaries and Wages	190,000.00
Other Expenses	0.00

Dumping Fees	
Sanitary Landfill-Contractual	80,000.00
<u>STATE UNIFORM CONSTRUCTION CODE</u>	
Salaries and Wages	
Construction Official	8,500.00
Sub Code Officials	
Building Inspector	0.00
Plumbing Inspector	5,000.00
Fire Inspector	4,500.00
Electrical Inspector	4,200.00
Other Salaries	15,800.00
Building Sub-Code Official	5,500.00
Mechanical Inspector	0.00
Other Expenses	3,400.00
Rent Expense	6,000.00
UNCLASSIFIED:	
<u>UTILITIES</u>	
Street Lighting	85,000.00
Gasoline	35,000.00
Electricity	75,000.00
Telephone & Telegraph	35,000.00
Water	8,000.00
Fire Hydrant Service	35,000.00
Purchase of Postage	8,000.00
Vehicle Maintenance	
Salaries and Wages	26,500.00
Other Expenses	54,000.00
TOTAL	<u>4,359,500.00</u>
Contingent	<u>500.00</u>
TOTAL OPERATIONS INCLUDING CONTINGENT	<u>4,360,000.00</u>
<u>STATUTORY EXPENDITURES</u>	
Social Security (O.A.S.I.)	87,000.00
	<u>0.00</u>
TOTAL DEFERRED AND STATUTORY	<u>87,000.00</u>
TOTAL GENERAL APPROPRIATIONS	<u>4,447,000.00</u>
Maintenance of Free Public Library	189,000.00

Tax Appeal Reserve	52,500.00
	<u>0.00</u>
Totals	<u>241,473.02</u>
Capital Improvement Fund	75,000.00
	<u>75,000.00</u>
TOTAL CAPITAL IMPROVEMENTS	<u>75,000.00</u>
<u>MUNICIPAL DEBT SERVICE</u>	
Payment of Bond Principal	2,397,123.00
Payment of Bond Anticipation Notes & Capital Notes	800,000.00
Interest on Bonds	973,444.00
Interest on Notes	67,815.00
Green Acres Trust Loan Program: Loan Repayments for Principal & Interest	48,848.00
BCIA Principal	360,000.00
BCIA Interest	699,175.00
	<u>5,346,405.00</u>
TOTAL MUNICIPAL DEBT SERVICE	<u>5,346,405.00</u>
TOTAL GENERAL APPROPRIATIONS	<u>10,109,905.00</u>

**2016 TEMPORARY SEWER UTILITY
BUDGET**

Operating:

Salaries & Wages	52,500.00
Other Expenses	474,400.00
Health Benefits	11,200.00

Debt Service:

Bond Principal	42,876.65
Bond Interest	13,155.98

Statutory Expenditures:

Social Security System (O.A.S.I)	3,400.00
Unemployment Compensation Insurance	900.00

TOTAL PW&UC APPROPRIATIONS

598,432.63

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

Mayor Cassella submitted the following board reappointments for approval:

Planning Board

Carmen Polifronio
Councilman Joel Brizzi
Councilman Mike Homaychak

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

Zoning Board

Phil Alberta
John Martin

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

Rent Control

Jodi Bartlett

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

Beautification Committee

Ruth Polifronio
Arlene Melchionne

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

Mayor Cassella made the following Committee appointments:

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

Mayor Cassella read his New Year's address:

I am honored today to have been sworn in, once again, as Mayor of East Rutherford; I thank the people for that honor. As I begin my 32nd year on this governing body and as has been the case in my previous 31 years, we will face many challenges. We have had many successes but there is so much more to do and hopefully we have learned from some mistakes but one thing I can assure the people of East Rutherford is that I will address the many challenges we face with no less enthusiasm than I did on January 1st, 1985 when, with my father holding the bible, I was first sworn into office as a member of this governing body.

Once again I have the privilege of welcoming back Councilmen George Perry and Jeffery Lahullier. I thank them both for their past service and look forward to working with them along with all the council members in 2016. Hopefully we can put aside our differences and successfully serve the people of East Rutherford.

Thank you to Superior Court Judge, Honorable Peter Melchionne for issuing to me The Oath of Office. I am honored to have had him take the time to come back to this council chamber where he spent so much time as our prosecutor and municipal attorney, to issue The Oath of Office to me.

As we end 2015 and enter 2016 we are saddened by the loss of former Mayor Jim Plosia who passed away last week. He sat in this chair for 26 years and on this council for 6 years. He was truly dedicated to the people of East Rutherford and personally helped so many. I was honored to have served on this council under his leadership for 11 years and considered him a good friend. I first met him over 50 years ago on the Grove Street basketball court. He will be missed and on behalf of this governing body, our employees and the people we serve, we extend our sincere condolences to the Plosia family.

Looking back at 2015 we did make great strides in our efforts to finalize an agreement with Triple Five; the developers of the American Dream project.

Although we are close, there are still some outstanding issues. If it seems as if I have been talking about this project on New Year's Day for the last twelve to thirteen years, going back to the Xanadu project; it is because I have. There has been much frustration but I do believe something should be happening soon; however, negotiating with Triple Five has been very difficult and I cannot make any promises about when this agreement might be finalized or when we might start receiving the tens of millions of dollars that have been agreed to. Just to emphasize the frustration, I had not heard from them in months until just last week when I finally, after months of silence, I had an opportunity to meet with Tony Armlin, who leads the Triple 5 Group. The discussions were productive; I did receive an update on their progress plus a tour of the facility. I can say that after hearing about how they have progressed and seeing firsthand how much construction has taken place, it appears that the bond issues should be taking place soon but as I said, I would be reluctant to make any predictions. One thing I am sure of is that our professionals have been doing an outstanding job fighting for the people of East Rutherford; protecting the taxpayers. I have no doubt about their efforts going forward.

Financially we are in better shape than we have been in a while. We did see some financial benefits from new ratables in 2015 plus our tax collection rate was up over 98.5% and should be

the same in 2016; however, we still need to be conservative in our spending and in our hiring practices plus our debt is higher than I believe it should be. We need to control costs and spend only when it is absolutely necessary. Having said that, in 2015, we, just 2 weeks ago, received an upgraded rating from Moody's. Their report was positive based on our "conservative" approach to the financial practices we have initiated. Hopefully that continues in 2016. I have to thank our CFO Anthony Bianchi for the fine job that he is doing.

Residential property taxes continue to be, except for Teterboro, the second lowest in Bergen County and well below the state average. Our municipal tax levy has not increased in 2 years but maintaining stable taxes has become more difficult with pension, employee and insurance costs escalating. For example, our pension costs have increased \$100,000 for 2016. Plus we have the added burden of having to deal with court ordered tax appeal settlements.

Right now we have an ongoing appeal in the federal courts filed by the Federal Reserve Bank which is becoming quite costly but conversely, in an unusual situation, we have filed a tax appeal against the owners of the office building next to the Hilton on Route 3. The basis for our claim is that the office building's assessment which was ordered by the court, is too low based on what it was recently sold for. We will continue to fight for what we believe are fair assessments.

As important as the American Dream project is and the effect it will have on East Rutherford, it is not the only issue that will have a major effect on us. Density housing can affect us as much as, if not more, than American Dream.

We have been saddled with numerous applications for this type of housing. In some areas it may make sense but, for sure, in many areas it makes no sense whatsoever, especially in the Meadowlands District where we have no control over and certain areas of Carlton Hill. We have objected strongly in writing and in person to the NJSEA, expressing our opposition to this type of development. I can assure the people of East Rutherford that I will continue to express my opposition to these developments whether in the Meadowlands or in other areas of town where density housing is not appropriate and take the fight as far as we legally can to try to stop them; however, we must continue to keep in mind and understand that we are still under a court order that allows planning and zoning decisions to be overturned by the court appointed master. It doesn't matter whether the action taken was by one of our local boards or the NJSEA. We need to walk a fine line because of the court order and because of regulations set up by the Council on Affordable Housing known to all of us as COAH. It should also be pointed out that these developments do bring in substantial tax dollars. Although we were against it, the Monarch development located just off of Route 3, approved by the Meadowlands Commission, now part of the NJ Sports and Exposition Authority, brought in close to a million dollars in 2015 and the recently approved Sterling development is projected to bring in approximately \$700,000 dollars. The question is, of course, even though monies from these projects are substantial do they offset any services that are required?

What makes this so much more difficult is that because of inaction by the state legislators, the governor's office and COAH, the affordable housing issue is, once again, back in the courts. Our municipal attorney, Richard Allen, has been doing an excellent job defending us and our position but it has become an impossible situation that has left not just us but all the municipalities in the State of New Jersey in a terrible position in trying to move forward with

development and, worse yet, it is has been very costly to the taxpayers. Home rule is being attacked from all sides and it is distressing and frustrating when these bodies do nothing to correct the situation. What makes it so frustrating? Well, start with the fact that it has been forty years since the first Supreme Court ruling on affordable housing, known as the "Mount Laurel Decision" was decided and we are still arguing about what the solution to this issue should be; it has been almost 10 years that we have been under a court order and you have the Fair Housing Council challenging every reasonable solution. This is not government's finest hour. In the meantime, we are trying to establish a feasible development plan with one hand tied behind our back. There is no reason to expect any conclusion to the affordable housing issue any time soon but I am still hoping to work with the Council to put in place some type of plan.

We can continue to voice our objections to these types of housing developments but that does nothing to legally stop them, we need to do more. Although difficult to stop entirely because of the court order and the affordable housing issues I do believe we can have more control if we would take seriously the idea of initiating redevelopment plans in the areas that we have designated as "in need of redevelopment." We have been presented with plans prepared by a professional planner but we have not addressed them. What has been presented to us are not etched in stone and can be changed so if the council disagrees with a professional planner and wants to change it they can but we need to act. We need to stop the politics and start addressing this issue in a professional and realistic manner that benefits the people of East Rutherford.

In 2015 our ongoing road program continued with a number of streets in the process of being resurfaced and in some areas problematic sewer lines and sidewalks replaced. This program will continue in 2016. Also and at last, Stanley Street was completed as was the upgrades at the Hackensack Street entrance to Riggin Field.

The summer concert series were once again a great success especially on our "National Night Out" which was the same night as one of the concerts. Thank you to our Police Department and Neighborhood Watch for an outstanding job. This past September, on 2 consecutive late summer Thursday evenings, Councilman Brizzi arranged to have concerts at our 911 Park on Park Avenue. That, along with our summer concerts series and with the weather cooperating, our residents were treated to some great entertainment. Both the summer concert series and the September concerts were both well attended. Thanks to Councilman Brizzi for all his efforts in arranging these concerts and for the donations received that offset much of the costs. The concerts, along with the Columbus Week-End festivities, organized by the Civic Pride Committee, bring a positive image to our community. Thanks to all who were involved for their hard work in organizing these events.

We continue to pursue, with Rutherford, acquiring the former railroad line bordering the two municipalities. We have been trying to obtain permission from North Fork Southern to allow our environmental engineer's access to the property so they can give us an estimated cost for an environmental cleanup of the property which needs to be done before it can be purchased. We need this environmental study done before we can move forward. Councilman Lahullier put much effort into this in 2015 and is hopeful for some positive results in 2016.

During the past year we have entered into 2 shared service agreements; the establishment of a shared building department with Carlstadt and Rutherford and a shared service agreement with Rutherford for the purchase of gasoline.

Also in 2015 we purchased a new senior bus and have upgraded our website. Thank you to Councilman Homyachak for overseeing the website upgrade.

We continue to upgrade our equipment in all our departments which allows us to better serve and protect our community; in many cases using grant money or forfeiture money to offset the expense for taxpayers.

As always I have nothing but praise for all our departments. I cannot say enough about Danielle Lorenc and the work that she does. She and her staff continue to run the town efficiently on a day to day basis.

The Department of Public Works with less people, under the direction of Paul DeRosa, continues to provide our residents with the quality services that our residents deserve.

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

Thank you to Chief Justin Lahullier for his four years of service as a chief; especially in 2015 as Chief of the East Rutherford Fire department. Congratulations to 2016 Chief Michael Felten; 1st Assistant Michael Falco; 2nd Assistant Junior Joseph and 3rd Assistant David Alberta. I look forward to working with them in 2016. They are 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.

Because of the hard work of so many volunteers; the coaches and people that run them, our recreation programs continue to thrive as does our library, initiating new programs along with handling an increase in activity. I commend the staff for their efforts.

The court and building department were very busy in 2015 and I do expect that to continue in 2016 plus I do believe we should see some cost savings and an increase in efficiency in our building department as a result of the shared service agreement we entered into with Rutherford and Carlstadt.

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. Our Veterans of Foreign War now have a new home with the completion of the renovations to the former court offices. A dedication was held in 2015.

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, including former Mayor Jim Plosia and former volunteer firemen, Ed Neubauer and Ronnie Coldon who have passed on.

It has been and continues to be an honor for me to serve on this governing body and I, once again, thank the people of East Rutherford for the opportunity to have served them for so many years. I look forward to serving them for four more years.

To all of you; my family especially my wife Janice, my friends, thank you and to all our residents and all those who are associated with our great community, I thank you and may you all have a happy, healthy and prosperous 2016.

Happy New Year and God Bless You.

Mayor Cassella asked for a motion to adjourn the Reorganization Meeting at 12:53PM:

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

A handwritten signature in cursive script, appearing to read "Danielle Lorenc". The signature is written in black ink and is positioned above the printed name.

Danielle Lorenc, RMC