

**MINUTES OF THE BOROUGH OF EAST RUTHERFORD
MAYOR & COUNCIL
SPECIAL MEETING HELD ON
AUGUST 15, 2018
AT ONE EVERETT PLACE**

SPECIAL MEETING WAS CALLED TO ORDER BY MAYOR CASSELLA AT 6:08PM. THE FLAG SALUTE WAS HELD AND THE FOLLOWING OPEN PUBLIC MEETING STATEMENT WAS READ:

This meeting is a Special 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 two newspapers listed below on July 26, 2018, 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

Before the Roll Call was held, Mayor Cassella read the Oath of Office and swore in Thomas Banca as Councilman, who will be filling the seat of Councilman Perry.

ROLL CALL:

Councilmember	Present	Absent
Lahullier	X	
Banca	X	
Stallone	X	
Ravettine	X	
Cronk	X	
Sorbera*	X	

*Councilman Sorbera entered the meeting at 6:35PM

Also present was Borough Clerk Danielle Lorenc and Attorney Gerald Salerno

Attorney Salerno discussed the settlement agreement with the Borough of Carlstadt. The following resolution was submitted for approval:

RESOLUTION NO. 107 - 2018

**A RESOLUTION AUTHORIZING APPROVAL OF
A CONSENT ORDER AND FINAL JUDGMENT SETTLING LITIGATION**

WHEREAS, the Borough of East Rutherford, County of Bergen, State of New Jersey (hereinafter referred to as the "Borough") has been a party to certain litigation filed by the Borough of Carlstadt ("Carlstadt") which litigation is venued in the Tax Court of the State of New Jersey under Docket No: 008089-2018 ; (the "Litigation") and

WHEREAS, the Litigation, which was commenced in 2018, involves a challenge by Carlstadt to the ratio for Carlstadt in the 2017 Director's Table of Equalized Valuations ("Director's 2017 Ratio"); and

WHEREAS, the Borough has been represented in the Litigation by Gerald R. Salerno, Esq. ("Counsel"); and

WHEREAS, in connection with the Litigation, the Borough has relied upon the advice of McNerney Appraisals (the "Appraiser"); and

WHEREAS, after extensive discussions and negotiations a Consent Order and Final Judgment has been reached which terms have been recommended to the Mayor and Council for acceptance by Counsel and the Appraiser; and

WHEREAS, Carlstadt has approved and authorized by Resolution 2018-210 dated August 2, 2018, the allocation of \$250,000 in its 2019 budget for improvements to the Riggan athletic field; and

WHEREAS, the Mayor and Council wish to adopt this Resolution indicating the Borough's consent to, and approval of the terms of the Consent Order and Final Judgment as outlined therein.

NOW, THEREFORE, BE IT RESOLVED, this 15th day of August 2018, by the Mayor and Council of the Borough of East Rutherford, as follows:

1. The Borough hereby accepts and approves the Consent Order and Final Judgment as presented by Counsel. A true copy of the Consent Order and Final Judgment will be on file at the office of the Borough Clerk after entry by the Court and will be available for review by the public during normal business hours.

2. The Borough authorizes and directs the Mayor, the Borough Clerk and or Gerald R. Salerno, Esq. to execute any and all necessary documents in order to implement the intent of this resolution.

Moved: Councilman Ravettine
Second: Councilman Lahullier
Roll Call: Ayes – Ravettine, Lahullier, Cronk, Banca, Stallone
Absent – Sorbera

A motion was then made to authorize Attorney Salerno to prepare an amendment to the Riggin Field lease agreement with Becton:

Moved: Councilman Ravettine
Second: Councilman Cronk
Roll Call: Ayes – Ravettine, Cronk, Lahullier, Banca, Stallone
Absent – Sorbera

Mayor Cassella asked for a motion to adjourn into Executive Session at 6:23PM for personnel and litigation:

EXECUTIVE SESSION RESOLUTION

WHEREAS, the “Open Public Meetings Act” requires that a public body adopt a resolution at an open meeting before going into Closed Session to discuss a matter which excludes the public as permitted under Section 7b;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council will hold a closed meeting at 6:23p.m. on August 15, 2018 in Borough Hall to discuss the following matters:

1. Personnel
2. Litigation

WHEREAS, minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of East Rutherford that the public be excluded from this portion of the meeting.

Moved: Councilman Lahullier
Second: Councilman Stallone
Roll Call: Ayes – Lahullier, Stallone, Ravettine, Cronk, Banca
Absent – Sorbera

EXECUTIVE SESSION

Mayor Cassella asked for a motion to adjourn the Executive Session and reopen the special meeting to the public at 8:52PM:

Moved: Councilman Lahullier
Second: Councilman Stallone
Roll Call: All present voted aye

Councilman Sorbera stated that Danielle and Tony went through the interview process to fill the vacant office position. He submitted the name of Tracy Burke to be hired at the Assistant to the Municipal Clerk/Accounts Payable:

Moved: Councilman Sorbera
Second: Councilman Lahullier
Roll Call: All present voted aye

Councilman Lahullier stated that he is unable to attend the September Council Meeting. Councilman Sorbera was unsure if he would be able to attend as well. A motion was made to move the September 18th Council meeting to September 25th.

Moved: Councilman Ravettine
Second: Councilman Stallone
Roll Call: All present voted aye

Mayor Cassella asked for a motion to adjourn the meeting at 8:59PM:

Moved: Councilman Lahullier
Second: Councilman Stallone
Roll Call: All present voted aye

A handwritten signature in cursive script, appearing to read "Danielle Lorenc".

Danielle Lorenc, RMC