

Englewood, N.J., January 6, 2009

A Reorganization Meeting of the Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 7:00 P.M.

Present: Mayor Michael Wildes; Council members Kenneth Rosenzweig, Charlotte Bennett Schoen, Scott Reddin, Jack Drakeford, and Gordon Johnson.

Also present were Daniel Fitzpatrick, City Manager; Lenore Schiavelli, City Clerk; William Bailey, City Solicitor.

President Rosenzweig called the meeting to order.

The City Clerk stated that adequate notice of this meeting was given by the posting, filing and distribution of the notice of this meeting as required by the Open Public Meetings Act.

President Rosenzweig asked those present to stand while the Pledge of Allegiance was recited.

Ms. Schoen moved that the minutes of the December 16, 2008 Council Meeting be approved. Mr. Reddin seconded the motion. Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried.

President Rosenzweig commented on his year of service on the Council as President and welcomed visitors to the meeting.

Council Members Kenneth Rosenzweig and Scott Reddin took the oath of office for their terms.

Mayor Wildes conducted the election of Council President for 2009. Mr. Reddin nominated Mr. Rosenzweig; Mr. Johnson seconded the motion. Nominations were closed. Upon roll call, all Council members present voted "Yes". President Rosenzweig assumed the Chair.

President Rosenzweig conducted the election of Council President Pro Tem for 2009. Ms. Schoen nominated Mr. Reddin; Mr. Johnson seconded the motion. Upon roll call, all Council members present voted "Yes" to elect Mr. Reddin Council President Pro Tem for 2009.

The Mayor and City Council members remarked on the past and upcoming year. City department heads and dignitaries were acknowledged.

State Senator Loretta Weinberg and State Assembly member Valerie Huttle addressed the Council and visitors.

Mr. Drakeford moved that the following Resolutions be adopted by Unanimous Consent. Mr. Johnson seconded the motion. Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried and the resolutions duly adopted.

1. WHEREAS, the City of Englewood provides annual paid holidays for its employees in accordance with negotiated union contracts; and

WHEREAS, every effort has been made to avoid scheduling two holidays in the same week;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the following schedule of holidays for 2009 is approved and declared public holidays, and are applicable in so far as City activities and City employees are concerned:

<u>MONTH</u>	<u>DATE</u>	<u>DAY</u>	<u>HOLIDAY</u>
January	1	Thursday	New Year's Day
January	19	Monday	Martin Luther King's Birthday
February	12	Thursday	Lincoln's Birthday
February	16	Monday	Presidents' Day
April	10	Friday	Good Friday
May	25	Monday	Memorial Day
July	3	Friday	Independence Day
September	7	Monday	Labor Day
October	12	Monday	Columbus Day
November	3	Tuesday	Election Day
November	11	Wednesday	Veteran's Day
November	26	Thursday	Thanksgiving Day
December	25	Friday	Christmas Day

2. BE IT RESOLVED that the Annual Schedule of Council Meetings for the Year 2009 is as follows:

REGULAR FORMAL MEETINGS

Municipal Court, Public Safety Building.

Executive Meeting at 7:30 p.m. precedes

Regular Formal Meeting.

Dates are **Tuesdays** unless otherwise noted.

January	6 (7:00 PM)
	13
February	3
	17
March	3
	17
April	7
	22 (Wed)
May	5
	19
June	9
	23
July	7
	21
August	4
	18
September	8
	22
October	6
	20
November	9 (Mon.)
December	1
	15

3. BE IT RESOLVED that the City of Englewood hereby designates The Press Journal as the official paper of the City; and

BE IT FURTHER RESOLVED that it designates The Press Journal and the Bergen Record to receive notices pursuant to the Open Public Meetings Act.

4. WHEREAS, 26.5% of the total appropriations in the 2008 Budget, exclusive of appropriations made for debt service and capital improvements is \$13,767,728; and
 WHEREAS, the temporary appropriations, as listed on Schedule A, comply with the requirements of N.J.S.A. 40A:4-19;
 NOW, THEREFORE, BE IT RESOLVED that the 2009 temporary appropriations are hereby established and shall become effective as of January 1, 2009 and shall serve as the 2009 Temporary Budget until the 2009 Budget is introduced which shall then serve as the Temporary Budget until such time as the 2009 Official Budget is adopted.

5. WHEREAS, the City of Englewood has a Cash Management Plan pursuant to N.J.S.A. 40A:5-1 et seq.; and
 WHEREAS, the objective of the Cash Management Plan of the City of Englewood is to ensure the preservation of capital (public funds) so that the principal is safe and the City's funds are liquid; and
 WHEREAS, the City of Englewood invests public funds solely in the State of New Jersey Cash Management Fund except from time to time trust funds held for specific purposes may be placed in certificates of deposit directly with a commercial or qualified savings bank;
 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that the banks as set forth below shall be designated depositories of the City of Englewood funds for the purpose of investment and regular business as allowed for municipalities by the Local Fiscal Affairs Law and pursuant to the Government Unit Deposit Protection Act.

BE IT RESOLVED that the Chief Financial Officer, as Custodian of Funds, shall maintain an annual schedule of said accounts with all disbursements made by check signed by the City Treasurer and countersigned by the City Manager/CFO;

BE IT FURTHER RESOLVED that the Chief Financial Officer is designated to place investments, consistent with the City of Englewood Cash Management Plan, with the banking institutions listed below for the year 2009.

INVESTMENT DEPOSITORIES:

- Primary:
 - New Jersey Cash Management Fund
- Alternates:
 - Bank of America
 - Valley National Bank
 - Bank of New York
 - PNC Bank
 - Merrill Lynch
 - JP Morgan Chase
 - Wachovia
 - Lakeland Bank
 - Commerce Bank
 - HSBC
 - Greater Community Bank
 - Citibank

REGULAR BUSINESS DEPOSITORIES:

- PNC Bank
- Valley National Bank
- Bank of America
- Bank of New York
- JP Morgan Chase
- Lakeland Bank
- Commerce Bank
- HSBC
- North Jersey Community Bank
- Greater Community Bank
- Citibank

6. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that there is hereby created Petty Cash Revolving Funds in the amount shown after the names listed below and placed in the possession of the following:

Chief of Police	\$250.00
City Treasurer	250.00
Director of Health Services	50.00
Domestic Violence Response Team	500.00

BE IT FURTHER RESOLVED that said funds are to be used for the purpose of meeting emergency expenditures necessary in the performance of their departments; that a monthly statement for any expenditures be made to the Chief Financial Officer and said funds shall be deposited with the Receiver of Taxes on or before December 31, 2009 and the City Treasurer is authorized to deposit with each person listed above the sum following his name.

7. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that the Superintendent of Public Works is hereby authorized to pay from an Emergency Fund hereby created in the sum of Four Hundred Fifty Dollars (\$450.00). Said sum is directed to be placed under his control for emergency and other expenditures for small parts, equipment, etc., necessary to be purchased for the proper performance of his duties, and that the said superintendent keep a record of the amount paid to each person or firm, the date of payment, and service for which payment is made, and include the same on a City voucher, the amount so paid to be refunded to aid Emergency Fund, said Fund shall be deposited with the Receiver of Taxes on or before December 31, 2009, and that the City Treasurer is authorized to deposit with the Director of Public Works the sum of Four Hundred Fifty Dollars (\$450.00).

8. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that PNC Bank, Englewood, New Jersey, shall be the depository for the various accounts of the City as listed below, which accounts shall be maintained in the different rights and capacities set forth in said schedule and the Municipal Court Administrator shall be the Custodian thereof, with all disbursements to be made by checks signed by the Municipal Court Administrator. Said accounts are as follows:

- Municipal Court - City of Englewood Regular Account
- Municipal Court - City of Englewood Bail Bond Account
- Municipal Court - City of Englewood Special Account
- Municipal Court - Installment Account

9. BE IT RESOLVED by the Council of the City of Englewood that there is hereby created Change Funds in the amounts shown after the names listed below and placed in the possession of the following:

The Magistrate of the City of Englewood	\$250.00
The Chief Inspector of the City of Englewood	25.00
The Registrant of Vital Statistics of the City of Englewood	40.00
Police Detective Bureau	40.00
The Receiver of Taxes of the City of Englewood	250.00
The City Clerk of the City of Englewood	50.00

BE IT RESOLVED that these funds shall be retained by each person listed above during the year 2009 and shall be deposited with the Receiver of Taxes on or before December 31, 2009; that these funds shall, at all times, be kept intact by each person listed above and shall be used for no other purpose than that of making change, and the City Treasurer is authorized to deposit with each person listed above the sum following his name.

10. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, in accordance with the requirements of N.J.S.A. 40A:5-17b (2), that all monies disbursed by the City of Englewood for payment of claims and wages and salaries be made by checks signed by the City Manager and countersigned by the City Treasurer of the City of Englewood as contained on vouchers approved by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to disburse claims up to \$1,000,000 provided that said claims be presented within 90 days at a regularly scheduled Council meeting for approval.

BE IT FURTHER RESOLVED that the Chief Financial Officer must cause the City's Financial Statements to be audited including said claims; and

BE IT FURTHER RESOLVED that the financial procedures and internal controls of the City of Englewood are hereby approved and shall be followed by all City departments and agencies, said procedures and internal controls are in writing and available in the office of the City Clerk.

11. WHEREAS, the Englewood Planning Board and Englewood Board of Adjustment prepare and execute developers' agreements to memorialize the terms and conditions of construction projects, including property acquisition and other matters that may affect the City of Englewood ; and

WHEREAS, the City of Englewood accepts developers' cash deposits to cover the cost of inspections and potential site work pursuant to NJSA 40:55D-53.2(a)(3) of the Developer Escrow Law (PL 1995, c.54); and

WHEREAS, from time to time disbursements are made from these developers' deposits;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the City Manager of the City of Englewood is hereby authorized to execute developers' agreements on behalf of the City of Englewood; and

BE IT FURTHER RESOLVED that the City Manager, or his designee, is hereby authorized to release bonds, letters of credit, and escrow accounts and that the City Manager is authorized to make such disbursements pursuant to the New Jersey Developer Escrow Law and guidelines.

12. WHEREAS, the City of Englewood has successfully participated in the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, by participating in this program the City benefits from volume discounts provided by vendors for basic products such as janitorial supplies and fuel oil;

NOW, THEREFORE, BE IT RESOLVED that the City Manager, or his designee, is hereby authorized to execute purchase orders with vendors participating in the State of New Jersey Cooperative Purchasing Program or other duly established government purchasing cooperative; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute purchase orders in the sum of \$25,000 or less for the purchase of goods and services which do not require competitive bidding.

13. WHEREAS, the City of Englewood comes into possession of junked vehicles and abandoned vehicles by reason of the failure of their owner to claim same, as well as other vehicles, office equipment, furniture, and other items of personal property no longer needed for public use; and

WHEREAS, the City Manager has recommended that junked or abandoned vehicles and other items of personal property no longer needed for public use be sold at public auction;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Englewood that the City Manager is hereby authorized to sell junked or abandoned vehicles and other items of personal property no longer needed for public use with the following provisions:

1. Such items will be sold by public auction to the highest bidder for cash following public advertisement therefor as required by law.
2. Notice of proposed sales of abandoned vehicles which have remained unclaimed for more than 3 months will be given by certified mail to the owners of said vehicles and to the holders of any security interest filed with the Division of Motor Vehicles, as required by law.

3. Vehicles and other personal property offered for sale may be inspected at various locations where said vehicles or personal property are stored.
4. Minimum bids for junk or abandoned vehicles must be in the amount owed to the garage or tow company for storage costs incurred. In addition thereto, the public advertisements therefor, and for other items of personal property may specify a minimum bid price therefor as determined by the City Manager.
5. The sale of junked or abandoned vehicles is conditioned upon the successful bidder, in addition to the bid, paying to the City of Englewood the sum of \$4.00 per vehicle for the Certificate of Title for each vehicle, plus the proportional share of the cost of advertising.
6. The vehicle must be removed by the buyer with 4 days following approval of the purchase.
7. At any time prior to the sale, the owner or other person entitled to possession of a junked or abandoned vehicle following public advertisement therefor as required by law may reclaim possession of the vehicle upon payment of the reasonable cost of the removal and storage of the vehicle and any fine, penalty, or court costs assessed against him for a violation which gave rise to the seizure or taking possession of such vehicle.
8. All bids received in excess of \$5,000 shall be subject to the approval thereof by the City Council of the City of Englewood. All other bids shall be subject to the approval of the City Manager or his designee.
9. The City expressly reserves the right to reject any and all bids as provided by law.
10. The City Clerk, or her designee, shall conduct the public sale and shall cause the required notices and advertisements to be provided and published as required by law.

14 WHEREAS, the City of Englewood is desirous of contracting for animal control officer services with the County of Bergen; and

WHEREAS, the County of Bergen has proposed to furnish animal control officer services to the City of Englewood; and

WHEREAS, the City Council, pursuant to the provisions of Section 3-12 of Article III of Chapter 3 of the Revised General Ordinances of the City of Englewood, has heretofore authorized the execution of cooperative agreements with the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute an agreement between the City of Englewood and the County of Bergen for animal control officer services for the year 2009.

A Finance Director's Certificate of Availability of Funds is on file in the office of the City Clerk.

15. WHEREAS, the City of Englewood is a culturally diverse and rich community with a large African-American population comprising nearly forty percent of the total population; and

WHEREAS, the Englewood African-American community has a long and rich tradition of civic service and advancing the cause of freedom and justice in society; and

WHEREAS, the African-American community in the United States has made enormous strides in overcoming oppression and adversity in all aspects of living; and

WHEREAS, a lot more work needs to be done so that all races, including African-Americans, live in harmony and without prejudice in our society; and

WHEREAS, to celebrate our achievements and reflect on our destiny, the month of February is designated nationally as "Black History Month";

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood hereby designates February as Black History Month in Englewood and that the entire Englewood community is hereby invited to participate in Black History Month programs reflecting on our "African Legacy" to be held during the month of February at the Englewood Public Library.

January 6, 2009

7

16. WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City of Englewood hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates the Director of the Department of Public Works to ensure that the said application is properly filed.

17. WHEREAS, the City Solicitor has requested authority to appeal certain assessments contained on the 2009 Tax List; and

WHEREAS, said actions are necessary to correct the assessment on various parcels of real property, where the assessment does not constitute the ratio of true value; and

WHEREAS, the City Solicitor has requested authority to file any and all pleadings before the Bergen County Board of Taxation or the Tax Court; and

WHEREAS, the City Solicitor has requested the authority to negotiate stipulations of settlement before the Bergen County Board of Taxation or Tax Court on all appeals and/or pleadings filed against an assessment on the 2009 Tax List by either the City of Englewood or by private property owners;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that:

1. The City Solicitor is hereby authorized to appeal to the Bergen County Board of Taxation or Tax Court for correction of assessments contained on the 2009 Tax List on such parcels of real property as deemed appropriate, subject to the approval of the City Solicitor; and

2. The City Solicitor is hereby authorized to file and prosecute any and all appeals and/or pleadings with the Bergen County Board of Taxation or Tax Court as deemed appropriate for the 2009 tax year; and

3. The City Solicitor is hereby authorized to negotiate, upon consultation with and the consent of both parties, stipulations of settlement on behalf of the City of Englewood for any and all appeals and/or pleadings filed before the Bergen County Board of Taxation or the Tax Court for the 2009 tax year and if the Tax Assessor and City Solicitor are in disagreement as to settlement, the City Manager shall make the final decision as to the City's position; and

4. The City Solicitor is hereby authorized to execute a stipulation of settlement on behalf of the City of Englewood for any and all appeals and/or pleadings filed before the Bergen County Board of Taxation or the Tax Court for the 2009 tax year.

18. WHEREAS, the Division of Water Resources and the Division of Coastal Resources of the New Jersey Department of Environmental Protection (DEP) now requires that each application for a sanitary sewer extension or stream encroachment permit be accompanied by a resolution authorizing the City Manager to sign the necessary application forms; and

WHEREAS, from time to time the City Manager is required to sign off on applications for sanitary sewer extension and stream encroachment permits in the process of construction within the City of Englewood; and

WHEREAS, a general resolution of authorization would, therefore, speed up the process of compliance as set out by the DEP;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to sign any and all forms of application required by the DEP respecting applications for sanitary sewer extension and stream encroachment permits within the City of Englewood.

19. BE IT RESOLVED by the City Council of the City of Englewood that, pursuant to the provisions of NJSA 54:4-67, the rate of interest to be charged for the non-payment of taxes, sewer taxes, or assessments shall be 8% per annum on the first \$1,500 and 18% per annum on any amount in excess of \$1,500 to be calculated from the statutory due date until actual payment.

20. WHEREAS, the City of Englewood has heretofore participated in various Mutual Aid/Special Operations Systems for Fire Response and Protection; and
WHEREAS, the City Council finds, on the advice of the City Manager and the Fire Department of the City of Englewood, that it is in the best interest of the City of Englewood to continue to participate in the aforementioned programs; and
WHEREAS, the entering into such agreements have heretofore been authorized pursuant to Ordinance Number 82-45;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, pursuant to N.J.S.A. 40A:14-156.1 that the City Manager is hereby authorized to execute any agreements or documents necessary for participation in "Mutual Aid" programs.

21. BE IT RESOLVED by the City Council of the City of Englewood that the following appointment, pursuant to P.L. 2004 c.19, is confirmed for a three year period commencing January 1, 2009 through December 31, 2011 and the City Manager is hereby authorized to execute the appropriate appointment letter:

City Engineer

Kenneth Albert
Albert Associates

22. BE IT RESOLVED by the City Council of the City of Englewood that the following appointments are hereby approved:

BOARD OF HEALTH

Diana Lachman, 488 Cumberland Street, reappointed to a three-year term commencing January 1, 2009 and expiring December 31, 2011.

Earl Marsan, 170 Brayton Street, reappointed to a three-year term commencing January 1, 2009 and expiring December 31, 2011.

HOUSING AUTHORITY

Kenneth Rosenzweig, 143 Booth Avenue, appointed to a five-year term commencing January 1, 2009 and expiring December 31, 2013.

Jack Drakeford, 41 E. Forest Avenue, appointed to a five-year term, as the Mayor's representative, commencing January 1, 2009 and expiring December 31, 2013.

PLANNING BOARD

Charlotte Bennett Schoen, 337 Audubon Road, appointed to a one-year term as Class III member commencing January 1, 2009 and expiring December 31, 2009.

RECREATION ADVISORY COMMITTEE

Jack Drakeford, appointed to a one-year term as Council Liaison commencing January 1, 2009 and expiring December 31, 2009.

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Inasmuch as there was no further business to come before the Council, the Council President adjourned the meeting.

City Clerk