

**OFFICE OF THE CITY CLERK**

**AGENDA**

**COUNCIL MEETING OF JULY 20, 2010 - 7:30 P.M.**

- A. CALL MEETING TO ORDER**
- B. STATEMENT REGARDING OPEN PUBLIC MEETINGS ACT**
- C. PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION: (COMMITTEE OF THE WHOLE)**

- 1. Quarry Pond Dredging
- 2. Recording of Council Meetings
- 3. Agenda Review
- 4. Closed Session

- D. RESOLUTION #148-07-20-10      Approve Minutes of Meetings**
- E. RESOLUTION #149-07-20-10      Approve Bills and Claims**
- F. COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS**
- G. ORDINANCES - FIRST READING:**

**ORDINANCE #10-20**

AN ORDINANCE AMENDING SCHEDULE XI OF SECTION 25-19 OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG A PORTION OF WALNUT STREET AND ALONG A PORTION OF BRAYTON STREET IN THE CITY OF ENGLEWOOD

**ORDINANCE #10-21**

AN ORDINANCE AMENDING SCHEDULE A, FEE REVISION RELATING TO CHAPTER 6 (ANIMALS), ARTICLE I (DOGS), 6-22 (PENALTY) OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

**ORDINANCE #10-22**

AN ORDINANCE APPROVING PAYMENTS IN LIEU OF TAXES FOR THE MULTIPLE DWELLING CONSTRUCTED BY ENGLEWOOD TERRACE, LLC WITHIN THE PALISADES SOUTH REDEVELOPMENT AREA PURSUANT TO THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW (N.J.S.A. 40A:21-1 ET. SEQ.) AND ORDINANCE #10-11

**H. ORDINANCES - SECOND READING/PUBLIC HEARING:**

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on July 6, 2010, and published in the July 8, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

**ORDINANCE # 10-14**

AN ORDINANCE ESTABLISHING CONTRACT SALARIES AND BENEFITS FOR LOCAL 108, RWDSU, AND LOCAL 11, TEAMSTER

**ORDINANCE # 10-15**

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 09-15

**ORDINANCE #10-18**

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF ENGLEWOOD AND APPROPRIATING \$3,820,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$3,637,900 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

**I. PUBLIC COMMENT ON AGENDA ITEMS**

**J. RESOLUTIONS**

**Motion to Adopt Resolutions by Unanimous Consent**

#150-07-20-10	Commemorating the 20 <sup>th</sup> Anniversary of the passing of the Americans with Disabilities Act
#151-07-20-10	Approving the Introduction of the Englewood Special Improvement District Budget for FY2011
#152-07-20-10	Authorize Award of Contract to Stantec Consulting Services for Design of Traffic Signal at Durie Avenue and Tenafly Road
#153-07-20-10	Renewal of Liquor License for 2010-2011

**K. PUBLIC SESSION**

**L. ADJOURN**

CITY OF ENGLEWOOD

RESOLUTION #148-07-20-10

RESOLUTION ACCEPTING MINUTES

BE IT RESOLVED, that the following minutes be and are hereby accepted and filed:

COUNCIL MEETING

July 6, 2010

COUNCIL WORKSHOP

June 15, 2010

July 13, 2010

CLOSED SESSION

June 1, 2010

June 15, 2010

July 6, 2010

July 13, 2010

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #149-07-20-10

APPROVE PAYMENT OF BILLS AND CLAIMS

**WHEREAS**, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment; and

**WHEREAS**, all bills and claims listed herewith have been encumbered and sufficient funds are available for payment; and

**WHEREAS**, the required signatures have all been obtained on each voucher on the attached list.

**NOW, THEREFORE, BE IT RESOLVED**, by the Council of the City of Englewood, that the bills and claims on the submitted list are hereby approved for payment in the total amount of \$1,035,213.03.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood

**BILLS & CLAIMS LIST**

**COUNCIL MEETING OF 07/20/10**

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
12058	MUNICIPAL COURT	DEBBIAN BARR	30.00
15091	POLICE	MERIT TROPHIES & ENGRAVIN	153.20
15679	POLICE	BARBARA CORSAR	75.00
15744	POLICE	ADVANCED LOCKSMITH SERV.	30.00
15750	POLICE	A.T. EMBLEM CO.	95.00
16210	CITY CLERK'S OFFICE	CURRY COPY CENTER	48.00
16261	ADMINISTRATION	SCHWAAB, INC.	40.49
16342	FINANCE	NJSHBP - STATE OF NJ	381,321.54
16404	RECREATION	BAUER SPORT SHOP	102.00
16420	RECREATION	JENNIFER CRUMP	50.00
16497	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	74.88
16509	DPW CENTRAL MAINT.GAR.	U.S. MUNICIPAL SUPPLY	79.36
16511	DPW ADMINISTRATION	DAVID MACHLIS	200.00
16614	FINANCE	RADIO SHACK	14.99
16637	FIRE DEPARTMENT	NJ FIRE PREVENTION &	125.00
16649	FIRE DEPARTMENT	AIR POWER INT'L.	25.10
16651	FIRE DEPARTMENT	ENFORSYS NJ, INC.	120.00
16652	FIRE DEPARTMENT	V.E. RALPH & SON	113.25
16654	FIRE DEPARTMENT	RUSTIC CATERERS, LLC	44.55
16655	FIRE DEPARTMENT	DESIGN & CONSTRUCTION	65.20
16750	CODE ENFORCEMENT	GIUSEPPE LAMAISTRA	82.00
16954	HEALTH	DEER PARK WATER	16.72
16974	HEALTH	JOYCE JACOBSON	123.00
17030	DPW CENTRAL MAINT.GAR.	METROPOLITAN RUBBER CO.IN	269.14
17048	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	111.50
17063	DPW CENTRAL MAINT.GAR.	STATE INDUSTRIAL PRODUCTS	194.90
17064	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	57.62
17065	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	156.18
17067	DPW CENTRAL MAINT.GAR.	CLIFFSIDE BODY CORP	51.96
17068	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	82.96
17069	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	42.80
17071	DPW CENTRAL MAINT.GAR.	DODGE OF PARAMUS	165.00
17072	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	133.90
17106	ADMINISTRATION	THE PMA INSURANCE GROUP	101,607.57
17130	SOCIAL SERVICES	SCHWAAB, INC.	19.74
17131	ADMINISTRATION	NJ STATE LEAGUE OF	16.00
17181	RECREATION	RENEE SCOTT-LEAK	50.00
17183	RECREATION	SCHWAAB, INC.	63.99
17184	RECREATION	AGL WELDING SUPPLY CO.	150.52
17185	RECREATION	TENAFLY MOWER SERVICE	29.95
17193	RECREATION	MERLE SIMONS	15.48
17196	RECREATION	GLASS GARDENS, INC.	40.04
17251	DPW CENTRAL MAINT.GAR.	HYRDOCARBON RECOVERY SERV	120.00
17252	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	26.40
17253	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	31.87
17254	DPW CENTRAL MAINT.GAR.	SUPERIOR DISTRIBUTORS	55.11
17272	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	187.07
17273	DPW CENTRAL MAINT.GAR.	SANITATION EQUIP. CORP.	91.86
17379	RECREATION	BIKE MASTERS	57.02
17380	RECREATION	EAGLE PAINT & WALLPAPER	102.11
17381	RECREATION	KAREN MAAS	10.00
17383	RECREATION	MITCHELL SIMON CO	97.25
17386	RECREATION	ADOLFO L. DELA CRUZ	200.00
17389	RECREATION	ODUSOTE MOFUNOLUWAKE	200.00
17390	RECREATION	PHYLLIS PUNDIE	185.00
17391	RECREATION	DONNA VINCENT	200.00
17392	RECREATION	MITCHELL SIMON CO	80.58
17395	RECREATION	GLASS GARDENS, INC.	107.54
17396	RECREATION	CAMPOR	15.29
17426	HEALTH	TREASURER, STATE OF NJ	1,250.00
17427	HEALTH	NJ DEPT.OF HEALTH & SR SE	90.00
17429	HEALTH	KRISTINA BONANNI	160.84
17501	POLICE	SAFE SHREDDING, LLC	87.00
17502	POLICE	MITCHELL SIMON CO	49.34
17561	FINANCE	CITY OF ENGLEWOOD	39,008.41
17569		CITY OF ENGLEWOOD	197.93
101881	ADMINISTRATION	SHARP ELECTRONICS CORP.	158.19
101918	ADMINISTRATION	QSCEND TECHNOLOGIES, INC.	5,000.00
101919	ADMINISTRATION	STAPLES	279.80
101920	ADMINISTRATION	STAPLES	38.36
101922	ADMINISTRATION	TECHNICAL DIFFERENCE, INC	1,461.63
101923	ADMINISTRATION	ROBERT GORMAN	653.41
300335	CITY CLERK'S OFFICE	PANASONIC FINANCE	337.48
300337	CITY CLERK'S OFFICE	BERGEN NEWSPAPER GROUP	1,189.66

**BILLS & CLAIMS LIST**

**COUNCIL MEETING OF 07/20/10**

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
300345	CITY CLERK'S OFFICE	NORTH JERSEY MEDIA GROUP	456.30
300346	CITY CLERK'S OFFICE	NORTH JERSEY MEDIA GROUP	1,340.26
500767	LEGAL	MCNERNEY & ASSOCIATES INC	100.00
500770	LEGAL	MCNERNEY & ASSOCIATES INC	3,530.00
500777	LEGAL	MCNERNEY & ASSOCIATES INC	11,300.00
500781	LEGAL	PHILLIPS PREISS SHAPIRO A	37,551.00
500782	LEGAL	THE BUZAK LAW GROUP, LLC	9,376.49
500783	LEGAL	HELLRING LINDEMAN	15,396.71
801349	ENGINEERING	PMK GROUP	27,945.00
901512	COMMUNITY DEVELOPMENT	UNITED WATER NEW JERSEY	14.67
901523	COMMUNITY DEVELOPMENT	NODDLE DEVELOPMENT CO.	6,931.71
1100488	FINANCE	PHILLIPS PREISS SHAPIRO A	5,202.50
1100517	FINANCE	C&E LOCKBOX SERVICES, LLC	500.00
1100523	FINANCE	ROBERT A. ADAIR MD, P.A.	1,000.00
1100537	FINANCE	FERRAIOLI, WIELKOTZ	2,500.00
1200472	DATA PROCESSING	TIME WARNER CABLE-BERGEN	159.95
1602903	POLICE	ATLANTIC TACTICAL	19,956.58
1603009	POLICE	S&H AUTO REPAIR	2,957.58
1603054	POLICE	POLICE TRAFFIC OFF. ASS.	200.00
1603059	POLICE	AQUIS COMMUNICATIONS	286.72
1603060	POLICE	LEXIS NEXIS/SEISINT	260.85
1603061	POLICE	BUSINESS SYSTEMS UNLIMITE	5,948.00
1603062	POLICE	BERGEN COUNTY COLLISION	225.00
1603063	POLICE	TRAFFIC SAFETY & EQUIP.CO	3,467.50
1603071	POLICE	RACHLES/MICHELES CO.	6,270.89
2101573	DPW ADMINISTRATION	SHARP ELECTRONICS CORP.	158.25
2101583	DPW ADMINISTRATION	VERIZON	10,860.63
2101587	DPW ADMINISTRATION	PUBLIC SERV.ELEC.& GAS CO	25,563.93
2101588	DPW ADMINISTRATION	PUBLIC SERV.ELEC.& GAS CO	57,922.80
2101589	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	801.85
2101590	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	830.18
2101591	DPW ADMINISTRATION	VERIZON SELECT SERVICES	366.13
2101592	DPW ADMINISTRATION	VERIZON	1,720.22
2101593	DPW ADMINISTRATION	VERIZON	1,671.79
2101594	DPW ADMINISTRATION	AT & T	67.16
2101595	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	28,184.30
2101605	DPW ADMINISTRATION	GREENSKY INDUSTRIES	2,125.00
2101606	DPW ADMINISTRATION	ENVIRONMENTAL CHEMICAL	603.95
2101607	DPW ADMINISTRATION	GLASS GARDENS, INC.	159.60
2101608	DPW ADMINISTRATION	BCUA	87,765.42
2101609	DPW ADMINISTRATION	GLASS GARDENS, INC.	199.50
2101610	DPW ADMINISTRATION	AFA PROTECTIVE SYSTEMS	467.00
2201043	BUILDING & GROUNDS	MAVERICK CLEANING	2,200.00
2201051	BUILDING & GROUNDS	EAST/WEST ELECTRICAL	699.38
2201052	BUILDING & GROUNDS	FAIRFIELD MAINT. INC.	263.56
2300183	DPW CONSTR.& UTILITIES	SGI SPECTRUM, LLC	2,800.00
2300184	DPW CONSTR.& UTILITIES	SGI SPECTRUM, LLC	300.00
2502948	DPW CENTRAL MAINT.GAR.	SANITATION EQUIP. CORP.	3,314.01
2502949	DPW CENTRAL MAINT.GAR.	C & C TIRE INC.	3,900.85
2502950	DPW CENTRAL MAINT.GAR.	C & C TIRE INC.	1,041.82
2502951	DPW CENTRAL MAINT.GAR.	C & C TIRE INC.	985.75
2502952	DPW CENTRAL MAINT.GAR.	SILOGRAM LUBRICANTS CORP	300.00
2502953	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	1,782.49
2502954	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	2,353.67
2502955	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	1,717.33
2502956	DPW CENTRAL MAINT.GAR.	INTER CITY TIRE	2,611.10
2502957	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	971.75
2502958	DPW CENTRAL MAINT.GAR.	DANLINE INC.	1,320.00
2502959	DPW CENTRAL MAINT.GAR.	DAVID WEBER OIL COMPANY	414.25
2502960	DPW CENTRAL MAINT.GAR.	INTER CITY TIRE	1,315.63
2502961	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	820.66
2502962	DPW CENTRAL MAINT.GAR.	INTER CITY TIRE	797.00
2502963	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	5,134.99
2502964	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	4,232.66
2502965	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	5,924.58
2502966	DPW CENTRAL MAINT.GAR.	RACHLES/MICHELES CO.	1,944.26
3100121	DPW SHADE TREE	CSX TRANSPORTATION	896.86
4000919	MUNICIPAL COURT	ENTEL SYSTEMS	420.00
4000925	MUNICIPAL COURT	VERIZON	215.63
4000934	MUNICIPAL COURT	LANGUAGE LINE SERVICES	360.40
4000938	MUNICIPAL COURT	DEER PARK WATER	9.11
4000949	MUNICIPAL COURT	NEW JERSEY LAW JOURNAL	189.00
4000956	MUNICIPAL COURT	MUNOZ INTERPRETING	980.00
4000964	MUNICIPAL COURT	MIAMI SYSTEMS CORP.	1,150.00

## BILLS &amp; CLAIMS LIST

COUNCIL MEETING OF 07/20/10

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VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
4000965	MUNICIPAL COURT	AISHAAH RASUL, ESQ.	8,100.00
4100884	HEALTH	JOHN KANG	360.00
4100896	HEALTH	SERVICE SURGICAL SUPPLY	2,460.85
4100908	HEALTH	POSITIVE PROMOTIONS	341.11
4302537	RECREATION	VERIZON	65.19
4302542	RECREATION	TODD HARRIS CO., INC.	2,499.64
4302556	RECREATION	NAUTILUS SWIMMING POOL SU	8,715.00
4302557	RECREATION	AMERICAN LEISURE CORP.	22,500.00
4302559	RECREATION	VANDERHOOF TRANSPORTATION	719.00
4302563	RECREATION	KNOEBELS AMUSEMENT RESORT	380.00
4302564	RECREATION	KEANSBURG AMUSEMENT PARK	396.00
4302570	RECREATION	MOREY'S PIERS	2,435.00
4302575	RECREATION	JERSEY SHORE PIRATES	255.00
4302578	RECREATION	LAKE COMPOUNCE L.P.	1,430.00
4302579	RECREATION	UNITED WATER NEW JERSEY	1,866.85
4302580	RECREATION	GREY LINE NY SIGHT SEEING	2,342.56
4302590	RECREATION	MERLE SIMONS	454.92
4302592	RECREATION	PUBLIC SERV.ELEC.& GAS CO	2,286.85
4302596	RECREATION	MERLE SIMONS	859.80
4302600	RECREATION	KNOEBELS AMUSEMENT RESORT	3,800.00
4302604	RECREATION	UNITED WATER NEW JERSEY	1,075.42
4302609	RECREATION	ESSEX COUNTY PARK	160.00
Grand Total			1,035,213.03

CITY OF ENGLEWOOD

ORDINANCE #10-20

AN ORDINANCE AMENDING SCHEDULE XI OF SECTION 25-19 OF  
CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE  
CITY OF ENGLEWOOD RELATING TO PARKING ALONG A  
PORTION OF WALNUT STREET AND ALONG A PORTION OF  
BRAYTON STREET IN THE CITY OF ENGLEWOOD

**WHEREAS**, the Traffic Advisory Committee has recommended limited parking along a portion of Walnut Street and Brayton Street; and

**WHEREAS**, Walnut Street and Brayton Street are both under the jurisdiction of the City of Englewood; and

**WHEREAS**, N.J.S.A. 39:4-8 permits the City of Englewood to designate time limited parking and other parking restrictions along said streets without the approval of the Commissioner of Transportation.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Englewood, Bergen County, New Jersey, as follows:

Section 1. Schedule XI of Section 25-19 of Chapter 25 of the Revised General Ordinances of the City of Englewood, respecting limited parking on certain streets, is hereby amended to add thereto the following:

(i) "No Parking" signs be installed on both sides of Brayton Street from Walnut Street to Cedar Street, on Walnut Street from Brayton Street to Walnut Court, and on Cedar Street from Brayton Street 300 feet toward Lydecker Street or for a distance of 200 feet from the property line of the East Hill Synagogue, whichever is shorter; and

(ii) All of Brayton Street from East Palisade Avenue to Walnut Street and from Cedar Street to Johnson Avenue shall be established as one side of the street parking zones with parking on the west side of Brayton Street only; and

(iii) The remainder of Walnut Street from Lydecker Street to North Woodland Street shall be established as a single side of the street parking zone with parking on the south side of the street only; and

(iv) The remainder of Cedar Street from Lydecker Street to Brayton Street shall be established as a single side of the street parking zone with parking on the north side of the street only.

(v) Except as expressly modified above all existing parking restrictions and requirements shall remain in full force and effect.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

**CITY OF ENGLEWOOD**

**ORDINANCE #10-21**

**AN ORDINANCE AMENDING SCHEDULE A, FEE REVISION  
RELATING TO CHAPTER 6 (ANIMALS), ARTICLE I (DOGS), 6-22  
(PENALTY) OF THE REVISED GENERAL ORDINANCES OF THE  
CITY OF ENGLEWOOD**

**WHEREAS**, the Board of Health of the City of Englewood requests that Schedule A, Fee Revision relating to Chapter 6 (Animals), Article I (Dogs), 6-22 (Penalty) of the Revised general Code of the City of Englewood be amended.

**WHEREAS**, the Board of Health feels that the penalties are extremely low and do not serve as a deterrent for curbing behavior; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Englewood, Bergen County, New Jersey, that Chapter 6 of the Revised General Ordinances of the City of Englewood is hereby amended as follows:

Section 1. Article 1, Section 6-22 of Chapter 6 is hereby amended to read as follows:

Any person who violates, or who fails or refuses to comply with any provision of this chapter shall be liable for a fine of not more than \$1,000 and subject to imprisonment for a period not to exceed 90 days, except that for violations of Sections 6-2, 6-5 and 6-21, the penalty shall be a fine of not more than \$200 and except that for a violation of 6-11, the penalty shall be a fine of not more than \$750.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

Section 4. This ordinance shall take effect upon final passage and publication according to the law.

**CITY OF ENGLEWOOD**

**ORDINANCE #10-22**

**AN ORDINANCE APPROVING PAYMENTS IN LIEU OF TAXES FOR THE MULTIPLE DWELLING CONSTRUCTED BY ENGLEWOOD TERRACE, LLC WITHIN THE PALISADES SOUTH REDEVELOPMENT AREA PURSUANT TO THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW (N.J.S.A. 40A:21-1 ET. SEQ.) AND ORDINANCE #10-11**

**WHEREAS**, Englewood Terrace, LLC, (the "Entity") owns certain property known as Block 2401, Lot 1.01 C002 on the City's Official Tax Map, (the "Property"); and

**WHEREAS**, the Property is located in the City of Englewood, within the Palisade South Redevelopment Project Area in an area previously found to be in need of redevelopment; and

**WHEREAS**, the Entity has filed an application ("Application") for a tax exemption for a project involving 188 residential rental units (the "Project"); and

**WHEREAS**, the City of Englewood is authorized to adopt an ordinance to utilize tax exemptions/abatements pursuant to N.J.S.A. 40A:21-1 et. seq., the Five (5) Year Exemption and Abatement Law for qualified projects; and

**WHEREAS**, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Englewood adopted Ordinance #10-11, ("the Ordinance") to allow Five (5) Year Tax Exemptions which authorizes the City to enter into tax agreements with developers of qualified projects for the exemption and abatement of local real estate property taxes and the payment of an amount in lieu of full property taxes;

**WHEREAS**, pursuant to N.J.S.A. 40A:21-1 et seq., and Ordinance #10-11, a tax exemption for new construction of multiple dwellings is permissible in the Palisade South Redevelopment Project Area; and

**WHEREAS**, the Application for tax exemption was timely filed on June 18, 2010; and

**WHEREAS**, the Property in 2010 is expected to generate approximately \$674,000 in taxes; and

**WHEREAS**, upon review of the Application the City Council has determined that the proposed Project Land and Improvements are eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and the Ordinance and that it is in the best interests of the City to enter into a Tax Agreement for the Project; and

**WHEREAS**, under the Five-Year Tax Exemption and proposed tax agreement, the Project Land and Improvements would be exempt from local real estate taxation for a period of five (5) years and the Entity would be required to pay the City a payment in lieu of taxes based on a five-year phase-in of the taxes which would otherwise be due on the Project Land and Improvements as completed as set forth in the Schedule of Estimated Annual Payment-in-Lieu of Tax and Pre-Payments-Exhibit A; and

**WHEREAS**, the Entity has also agreed to pre-pay certain portions of the Payment-in-Lieu-of-Taxes subject to each prepayment being credited back as set forth in Exhibit A; and

**WHEREAS**, upon the expiration of the tax exemption, it is estimated that the Project Land and Improvements will generate a conventional tax payment of approximately \$925,000.

**NOW THEREFORE BE IT ORDAINED** by the City Council of the City of Englewood, County of Bergen, State of New Jersey as follows:

1. The above recital is incorporated as if fully set forth at length herein.

2. The Application for a Five (5) Year Tax Exemption for the Project Land and Improvements is hereby approved.
3. The City Manager is hereby authorized to execute a Five-Year Tax Exemption Agreement ("Tax Agreement") for the Project which shall contain, at a minimum, the following terms and conditions:
  - (a) The Project Land and Improvements shall be exempt from local real estate taxation for a period not to exceed five (5) years;
  - (b) The Entity shall make payments-in-lieu-of-taxes on the Project Land and Improvements estimated to be as set forth in Exhibit A attached;
  - (c) The Entity shall prepay a portion of the payments-in-lieu-of-taxes in Years 1 and 2 of the Tax Agreement terms and shall receive corresponding credits in Years 4 and 5 all as set forth in Exhibit A.
  - (d) The "taxes otherwise due" for the Project Land and Improvements shall be based on a total assessed value of \$34,250,000;
  - (e) The Tax Agreement shall take effect on January 1, 2011 and shall have a duration of five (5) years unless terminated prior thereto.
  - (f) With respect to the transfer of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, the exemption shall continue and the Tax Agreement shall remain in effect; and
  - (g) At the termination of the Tax Agreement, the Project Land and Improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a project, at the termination of an agreement, from qualifying for, and receiving the full benefits of, any other tax preferences provided by law.
4. The Municipal Clerk shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of the date of execution of the Tax Agreement.
5. The Tax Agreement shall be subject to such provisions of Ordinance #10-11, as may be applicable.
6. All ordinances and parts of ordinances inconsistent herewith, excepting the Ordinance, are hereby repealed.
7. This ordinance shall take effect at the time and in the manner provided by law.

CITY OF ENGLEWOOD

ORDINANCE #10-14

**AN ORDINANCE ESTABLISHING CONTRACT SALARIES AND  
BENEFITS FOR LOCAL 108, RWDSU, AND LOCAL 11, TEAMSTERS**

**WHEREAS**, contract settlements have been reached with Local 108, RWDSU, and Local 11, Teamsters that establish salary amounts and benefits; and

**WHEREAS**, it is deemed to be in the best interests of the City to approve the terms of the contract settlements.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

**Section 1.** The annual salary ranges for the positions covered by the Local 108, RWDSU contract shall be as set forth on Schedule A, attached hereto and made a part hereof, effective as of the years and dates indicated.

**Section 2.** The annual salary ranges for the positions covered by the Local 11, Teamsters contract shall be as set forth on Schedules B1 and B2, attached hereto and made a part hereof, effective as of the years and dates indicated.

**Section 3.** The supplemental prescription drug reimbursement program will be eliminated effective January 1, 2011 for both collective bargaining units.

**Section 4.** Lincoln's Birthday will no longer be a paid holiday for both collective bargaining units effective in the year it ceases to be an official holiday for the State of New Jersey.

**Section 5.** Other terms and conditions shall be maintained as set forth in the respective collective bargaining agreements. The City Manager is hereby authorized to execute the collective bargaining agreements with Local 108, RWDSU and Local 11, Teamsters.

**Section 6.** This ordinance shall become effective upon final passage and publication as required by law.

CITY OF ENGLEWOOD

ORDINANCE #10-15

AN ORDINANCE AMENDING AND SUPPLEMENTING  
CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD, AS  
PREVIOUSLY AMENDED BY ORDINANCE NO. 09-15

**WHEREAS**, Chapter 19 of the Revised General Ordinances establishes, inter alia, the table of organization of the Englewood Police Department; and

**WHEREAS**, as the result of recent retirements and economy measures the size of the department has been decreased and a new table of organization is required; and

**WHEREAS**, municipalities are required to establish by ordinance the maximum number of officers authorized for each rank.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

**Section 1.** Section 19.2 (a) of Chapter 19 is hereby amended to read as follows:

19.2(a) The Police Department Table of Organization shall consist of one (1) Chief of Police, and may consist of not more than one (1) Deputy Chief of Police, not more than one (1) Captain, not more than six (6) Lieutenants, not more than eleven (11) Sergeants and not more than sixty (60) Police Officers.

**Section 2.** All ordinances or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 3.** If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

**Section 4.** This ordinance shall take effect upon final passage and publication according to law.

CITY OF ENGLEWOOD

ORDINANCE #10-18

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF ENGLEWOOD AND APPROPRIATING \$3,820,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$3,637,900 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Englewood, in the County of Bergen, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$3,820,000 including the aggregate sum of \$182,100 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$3,637,900 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Purpose:

2010 Road Improvement Program, including but not limited to, improvements to East Hudson (between Engle and Elkwood Terrace), Windsor Road (Manor to Holland), Durie (Tenafly and Roosevelt), Central Avenue (John to Tryon), Tryon Avenue (Tenafly to Central), South Dwight Place, Walnut ( Lydecker and Woodland), Thornton Road (Oakwood to Booth), Decatur Avenue, Webster Avenue, Hirliman Road, Grandview Avenue, Westview Avenue, Flat Rock Brook Nature Center Parking Lot, Library Parking Lot and emergency curb and sidewalk replacement and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,660,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,580,900
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$79,100

(b) Purpose:

Reconstruction of various roads in the City, including, but not limited to, Knickerbocker Road (Hudson to Ivy Lane), South Woodland Street (Palisade to Linden), North Woodland Street (Palisade to Johnson) and Sherwood Place, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$2,160,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$2,057,000
<u>Period or Average Period of Usefulness:</u>	20 years
<u>Amount of Down Payment:</u>	\$ 103,000

(c) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(d) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.6534 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,637,900 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The City reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated there under (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required there under.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

CITY OF ENGLEWOOD

RESOLUTION #150-07-20-2010

**Commemorating the 20<sup>th</sup> Anniversary of the passing  
of the Americans with Disabilities Act**

**WHEREAS**, the Americans with Disabilities Act (ADA) was passed July 26, 1990 as Public Law 101-336 (42 U.S.C. Sec. 12101 *et seq* ) and became effective on January 26, 1992. The ADA is landmark federal legislation that opens up services and employment opportunities to the 43 million Americans with disabilities. The law was written to strike a balance between the reasonable accommodation of citizens' needs and the capacity of private and public entities to respond. It is not an affirmative action law but is intended to eliminate illegal discrimination and level the playing field for disabled individuals; and

**WHEREAS**, the Americans with Disabilities Act (ADA) is a wide ranging and ground breaking act that built upon the foundation laid by earlier legislation such as the Architectural Barriers Act of 1968 and the Rehabilitation Act of 1973; and

**WHEREAS**, the law is comprised of five titles that prohibit discrimination against disabled persons within the United States, and include protections from discrimination in regard to employment, programs and activities; provide for public accommodations; and the availability of telecommunications devices and services; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood, County of Bergen, hereby commemorates the 20<sup>th</sup> Anniversary of the passing of the Americans with Disabilities Act (ADA), and in doing so honors all of the citizens of the City of Englewood, County of Bergen, and their right to live full and productive lives with access to all that the City has to offer.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #151-07-20-10

**Approving the Introduction of the  
Englewood Special Improvement District Budget for FY 2011**

**WHEREAS**, the Englewood Special Improvement District budget for FY 2011 (July 1, 2010 - June 30, 2011) was approved by the Englewood Economic Development Corporation, the District Management Corporation, on June 16, 2010; and

**WHEREAS**, N.J.S.A. 40:56-65 et seq. requires that the budget be introduced and approved by the City Council on two readings of a resolution following a public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

**Section 1.** The following statement of revenues and appropriations represents the Special Improvement District budget for FY 2011.

<u>Revenues</u>		<u>Appropriations</u>	
Business License Fees	\$247,300	Promotions (BergenPAC)	\$60,000
Clean Communities Grant	30,000	Salaries	67,000
		DBIZ loan	33,000
		Imp. & Equip.	10,000
		Marketing program	75,000
		Events program	29,300
		Miscellaneous	3,000
<b>Total Revenues</b>	<b>\$277,300</b>	<b>Total Appropriations</b>	<b>\$277,300</b>

**Section 2.** This budget is hereby approved on first reading by the City Council and the budget shall be published in the Press Journal and a public hearing shall be scheduled at the regular City Council meeting on August 10, 2010 at which time fee payers or other interested parties will be heard.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #152-07-20-10

**Authorize Award of Contract to Stantec Consulting Services  
for Design of Traffic Signal at Durie Avenue and Tenafly Road**

**WHEREAS**, the Englewood Board of Education is required to construct a traffic signal at Durie Avenue and Tenafly Road as part of the approval; and

**WHEREAS**, due to the upcoming reconstruction of Woodland Street there is an essential need to complete the inspection of the lines in order to provide an adequate design of the road; and

**WHEREAS**, Oswald Enterprises, 161 East Road, Belford, New Jersey 07718 has submitted an independent proposal to carry out the TV inspection of the lines along Woodland Street, and the submitted proposal which falls within the original estimate, and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

**WHEREAS**, this contract is awarded according to a fair and open process pursuant to N.J.S.A. 40A:11-5(3);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the proposal submitted by Oswald Enterprises is hereby accepted; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Oswald Enterprises, for the Woodland Street Sanitary & Storm TV Inspection Project not to exceed \$30,000.00, and in accordance with the specifications therefore.

Funding for this project is available from the following sources:

- Ordinances 06-08(a)

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION # 153-07-20-10

RENEWAL OF LIQUOR LICENSES FOR 2010-2011

**BE IT RESOLVED** by the City Council of the City of Englewood that the City Clerk is hereby directed to sign, issue, and deliver Alcoholic Beverage licenses to each of the persons, associations, firms, corporations, or clubs listed below; and to be effective only at the locations set forth after their respective names for the period beginning July 1, 2010 at 12:01 AM and ending June 30, 2011 at 12:00 midnight; and

**BE IT FURTHER RESOLVED** that a periodic review of all liquor licenses will be conducted during the 2010-2011 license year.

**PLENARY RETAIL CONSUMPTION LICENSE #33**

0215-33-017-002

One W. Englewood Ave Corp. (*Inactive*)  
t/a Club One West

1-3-5 W. Englewood Avenue

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					
<i>Rosenzweig</i>					
<i>Bennett Schoen</i>					
<i>Drakeford</i>					
<i>Reddin</i>					

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

---

Lauren P. Vande Vaarst, RMC  
City Clerk  
City of Englewood