

**OFFICE OF THE CITY CLERK**

**AGENDA**

**COUNCIL MEETING OF August 10, 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. Discussion of Liberty School/ John T. Wright Ice Arena Memo (Phillips Preiss Grygiel LLC)
- 2. DPW Equipment (Clyde Sweatt)
- 3. Agenda Review
- 4. Closed Session

- D. RESOLUTION #157-08-10-10      Approve Minutes of Meetings**
- E. RESOLUTION #158-08-10-10      Approve Bills and Claims**
- F. RESOLUTION #159-08-10-10      Adoption of the 2010 Budget**
- G. RESOLUTION #160-08-10-10      Amending the 2010 Capital Budget**
- H. RESOLUTION #161-08-10-10      Approving the Englewood Special Improvement District Budget for FY 2011**

**I. COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS**

**J. ORDINANCES - FIRST READING:**

**ORDINANCE # 10-16**

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR THE CITY OF ENGLEWOOD DEPARTMENT OF PUBLIC WORKS AND APPROPRIATING \$1,305,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,243,000 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

**ORDINANCE #10-23**

ORDINANCE AMENDING ARTICLE 12 SECTIONS 25-32 and 25-33 OF THE TRAFFIC AND PARKING ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

**ORDINANCE #10-24**

ORDINANCE REAPPROPRIATING \$29,794 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY

**ORDINANCE #10-25**

ORDINANCE REAPPROPRIATING \$249,597.72 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY

**ORDINANCE #10-26**

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE SUM OF \$250,000 FOR THE REASSESSMENT OF ALL REAL PROPERTY IN THE CITY OF ENGLEWOOD

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

The following ordinance was approved on first reading at the Workshop meeting of the Mayor and Council held on July 13, 2010, and published in the July 15, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

**ORDINANCE #10-19**

ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 3 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD AND REPEALING ORDINANCE NUMBER 05-23

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on July 20, 2010, and published in the July 22, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

**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

**L. PUBLIC COMMENT ON AGENDA ITEMS**

**M. RESOLUTIONS**

**Motion to Adopt Resolutions by Unanimous Consent**

#162-08-10-10	Authorize Issue of Duplicate Tax Sale Certificate
#163-08-10-10	Authorize SECIL Application for Bergen County CD Block Grant Funds
#164-08-10-10	Authorize Center for Food Action Application for Bergen County CD Block Grant Funds
#165-08-10-10	Authorize Center for Food Action Application for Bergen County CD Block Grant Funds
#166-08-10-10	Modifications of Local Improvement Board Members
#167-08-10-10	Appointments to Local Improvement Board
#168-08-10-10	Override Veto of Ordinance No. 10-15

**N. PUBLIC SESSION**

**O. ADJOURN**

**CITY OF ENGLEWOOD**

**RESOLUTION #157-08-10-10**

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETING  
July 20, 2010

CLOSED SESSION  
July 20, 2010

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<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 #158-08-10-10

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 \$1,669,250.93.

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 08/10/10**

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
15900	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	131.19
16194	DPW SEWER	MITCHELL SIMON CO	93.60
16211	CITY CLERK'S OFFICE	MATTHIJSSSEN, INC.	115.00
16222	CITY CLERK'S OFFICE	KENNETH ALBERT ASSOCIATES	84.80
16262	COMMUNITY DEVELOPMENT	MITCHELL SIMON CO	34.35
16264	ADMINISTRATION	STAPLES COPY CENTER	65.53
16346	FINANCE	BCUA SOLID WASTE MANAGEME	705,985.00
16486	DPW SEWER	MITCHELL SIMON CO	89.16
16512	BUILDING & GROUNDS	ADVANCED LOCKSMITH SERV.	9.35
16513	DPW ROADS	TILCON NEW YORK INC.	120.80
16514	BUILDING & GROUNDS	PETE'S LOCK AND KEY	95.00
16515	DPW ADMINISTRATION	ONE CALL CONCEPTS	105.23
16516	BUILDING & GROUNDS	HORIZON PEST CONTROL	55.93
16517	DPW CENTRAL MAINT.GAR.	TENAFLY MOWER SERVICE	94.75
16650	FIRE DEPARTMENT	VERIZON	150.24
16653	FIRE DEPARTMENT	DEER PARK WATER	88.26
16656	FIRE DEPARTMENT	MOORE'S HARDWARE	157.36
16657	FIRE DEPARTMENT	SIGN A RAMA GREENBURG PA	160.00
16658	FIRE DEPARTMENT	PETERS CAMERA & FRAME SHO	60.00
16659	FIRE DEPARTMENT	CLEAN AIR CO.	51.20
16663	FIRE DEPARTMENT	THE TROPHY KING	150.00
16664	FIRE DEPARTMENT	UNITED MOTOR PARTS, INC.	47.52
16665	FIRE DEPARTMENT	REGIONAL COMMUNICATIONS I	104.00
16666	FIRE DEPARTMENT	MOORE'S HARDWARE	146.17
16667	FIRE DEPARTMENT	MOORE'S HARDWARE	121.27
16668	FIRE DEPARTMENT	D & E UNIFORMS	104.00
16839	HEALTH	BLACK BOX NETWORK SERVICE	135.00
16885	COMMUNITY DEVELOPMENT	GUILLERMINA DIAZ	80.00
16955	HEALTH	STAPLES	107.16
16964	HEALTH	FRED PRYOR SEMINARS	119.00
16971	HEALTH	SKILLPATH SEMINARS	149.00
17070	DPW CENTRAL MAINT.GAR.	GMF INDUSTRIES INC.	155.50
17107	ADMINISTRATION	THE PMA INSURANCE GROUP	33,859.51
17133	ADMINISTRATION	HOWARD FEINSTEIN	53.00
17133	ADMINISTRATION	LIBERTY PHARMACY	6,819.00
17133	ADMINISTRATION	PASTOR PHARMACY	8,782.25
17182	RECREATION	EDA GREENBAUM	10.00
17186	RECREATION	CELIA SHMUKLER	5.00
17187	RECREATION	GARRETT BETHEA	120.00
17200	RECREATION	AGL WELDING SUPPLY CO.	103.08
17248	TAX COLLECTOR	M & D ASSOCIATES	25,426.47
17249	TAX COLLECTOR	ABT-TEC OR ITS DESIGNEE	2,028.37
17250	TAX COLLECTOR	ANNETTA NADLER C/O LAWRE-	2,122.12
17255	DPW CENTRAL MAINT.GAR.	METROPOLITAN RUBBER CO.IN	150.00
17256	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	154.82
17257	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	82.92
17258	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	145.94
17259	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	85.70
17260	DPW CENTRAL MAINT.GAR.	STORR TRACTOR COMPANY	39.61
17261	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	129.98
17262	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	107.58
17263	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	145.94
17264	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	84.80
17265	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	149.65
17266	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	154.26
17267	DPW CENTRAL MAINT.GAR.	SANITATION EQUIP. CORP.	137.47
17268	DPW CENTRAL MAINT.GAR.	METROPOLITAN RUBBER CO.IN	90.05
17269	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	106.72
17270	DPW CENTRAL MAINT.GAR.	TIMMERMAN EQUIPMENT	113.26
17271	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	51.70
17274	DPW CENTRAL MAINT.GAR.	LAWSON PRODUCTS, INC.	69.96
17275	DPW CENTRAL MAINT.GAR.	TENAFLY MOWER SERVICE	178.50
17276	DPW SANITATION	JAMES F. WHITE INC.	150.00
17277	DPW SANITATION	JAMES F. WHITE INC.	150.00
17280	DPW ROADS	TENAFLY MOWER SERVICE	149.75
17290	DPW CENTRAL MAINT.GAR.	SILVER MASON SUPPLY	146.40
17301	DPW CENTRAL MAINT.GAR.	CLIFFSIDE BODY CORP	266.48
17302	DPW CENTRAL MAINT.GAR.	STORR TRACTOR COMPANY	9.24
17303	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	117.93
17304	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	69.65
17305	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	11.76
17306	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	135.23
17307	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	119.14
17309	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	85.18

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
17326	DPW SEWER	SILVER MASON SUPPLY	146.40
17384	RECREATION	EDGAR MORENO	24.30
17388	RECREATION	TAL BRANDWEIN	10.00
17397	RECREATION	MITCHELL SIMON CO	48.93
17398	RECREATION	BIKE MASTERS	61.00
17399	RECREATION	EAGLE PAINT & WALLPAPER	28.45
17400	RECREATION	WILLIAM B. PAYNE	8.00
17401	RECREATION	RADIO SHACK	14.99
17403	RECREATION	GLASS GARDENS, INC.	59.79
17404	RECREATION	REGINALD LAWRENCE	200.00
17405	RECREATION	TODD MURRAY	200.00
17406	RECREATION	CALVIN CUAVERS	65.00
17407	RECREATION	EDGAR MORENO	27.00
17410	RECREATION	LOUIS SCRIVEN III	48.26
17411	RECREATION	TENAFLY MOWER SERVICE	7.90
17412	RECREATION	MITCHELL SIMON CO	56.96
17413	RECREATION	KELLI GREENE	15.00
17414	RECREATION	DERRICK CREOLE	200.00
17417	RECREATION	AGL WELDING SUPPLY CO.	114.52
17418	RECREATION	FAITH DORMAN	125.00
17419	RECREATION	GLASS GARDENS, INC.	49.36
17421	RECREATION	JOHN A. EARL INC.	72.80
17422	RECREATION	DERRICK CREOLE	100.00
17423	RECREATION	TODD MURRAY	200.00
17430	HEALTH	EMSL ANALYTICAL INC.	348.00
17432	HEALTH	EAGLE PAINT & WALLPAPER	86.03
17434	HEALTH	EAGLE PAINT & WALLPAPER	72.35
17435	HEALTH	DEBORAH GREENE	47.38
17436	HEALTH	TREASURER, STATE OF NJ	85.00
17439	HEALTH	SUZIE JEAN-LOUIS	34.87
17503	POLICE	ARTHUR O'KEEFE	83.20
17579		CITY OF ENGLEWOOD	41,421.09
17584		CITY OF ENGLEWOOD	197.93
17588		CITY OF ENGLEWOOD	41,479.02
17595		CITY OF ENGLEWOOD	197.93
17626	TAX COLLECTOR	JEFFREY RUBENSTEIN &	716.70
17627	TAX COLLECTOR	CITY OF ENGLEWOOD	62.14
17628	TAX COLLECTOR	SCHWAAB, INC.	61.74
17629	TAX COLLECTOR	MICHAEL I SCHNECK, TRSTEE	4,043.32
17701	RECREATION	BAUER SPORT SHOP	119.20
101876	ADMINISTRATION	ATB SERVICES, LLC	4,004.32
101912	ADMINISTRATION	POSTMASTER	1,460.00
101916	ADMINISTRATION	TRUMP PLAZA	190.00
101924	ADMINISTRATION	ICMA	805.00
101925	ADMINISTRATION	STAPLES	230.77
101926	ADMINISTRATION	JOSH HICKSON	669.77
101927	ADMINISTRATION	SHERATON ATLANTIC CITY	292.00
101928	ADMINISTRATION	SAN JOSE MARRIOTT	975.45
101929	ADMINISTRATION	EXTEL COMMUNICATIONS INC.	145.00
101931	ADMINISTRATION	NJ CASUALTY INS. CO.	6,890.00
101934	ADMINISTRATION	ENGLEWOOD VOLUNTEER	23,000.00
101937	ADMINISTRATION	SUTTON PLACE CONDO ASSOC	9,408.00
101938	ADMINISTRATION	THE DEFINING MOMENT	3,939.00
200052	MAYOR & COUNCIL	BORGATA HOTEL CASINO & SPA	302.00
200053	MAYOR & COUNCIL	BORGATA HOTEL CASINO & SPA	302.00
200054	MAYOR & COUNCIL	TRUMP TAJ MAHAL	208.00
200055	MAYOR & COUNCIL	TRUMP TAJ MAHAL	208.00
300335	CITY CLERK'S OFFICE	PANASONIC FINANCE	337.48
300347	CITY CLERK'S OFFICE	GENERAL CODE	5,273.80
300348	CITY CLERK'S OFFICE	BERGEN NEWSPAPER GROUP LL	637.16
500780	LEGAL	SUPLEE, CLOONEY & COMPANY	4,500.00
500784	LEGAL	MILES FEINSTEIN	2,500.00
801346	ENGINEERING	D & S LAND DEVELOPMENT	77,620.00
801358	ENGINEERING	KENNETH ALBERT ASSOCIATES	17,107.00
801362	ENGINEERING	KENNETH ALBERT ASSOCIATES	17,500.00
901501	COMMUNITY DEVELOPMENT	SKIDATA INC	1,500.00
901508	COMMUNITY DEVELOPMENT	THE AMERICAN FLAG COMPANY	725.00
901525	COMMUNITY DEVELOPMENT	OTIS ELEVATOR CO.	719.88
901526	COMMUNITY DEVELOPMENT	CITY OF ENGLEWOOD	6,596.82
901528	COMMUNITY DEVELOPMENT	EAST/WEST ELECTRICAL	190.00
901529	COMMUNITY DEVELOPMENT	NICK'S TOWING SERVICE	360.00
1000241	PLANNING & LAND USE	TWINBROOK NURSERIES	449.05
1100524	FINANCE	AT & T MOBILITY	2,276.03
1100525	FINANCE	NEXTEL COMMUNICATIONS	294.02

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
1100526	FINANCE	PUBLIC SERV.ELEC.& GAS CO	3,105.88
1100538	FINANCE	EXTEL COMMUNICATIONS INC.	145.00
1100541	FINANCE	ATB SERVICES, LLC	13,575.67
1100542	FINANCE	LERCH,VINCI & HIGGINS,LLP	23,000.00
1100544	FINANCE	GLUCK,WALRATH & LANCIANO	25,034.18
1100546	FINANCE	I-DEAL LLC	3,000.00
1100547	FINANCE	SOURCE MEDIA	2,904.00
1100548	FINANCE	BERGEN NEWSPAPER GROUP LL	852.56
1100549	FINANCE	CITY OF ENGLEWOOD	12,938.04
1200470	DATA PROCESSING	MEGAPATH INC.	544.29
1200472	DATA PROCESSING	TIME WARNER CABLE-BERGEN	159.95
1300136	TAX ASSESSOR	REALTY APPRAISAL CO.	1,750.00
1300137	TAX ASSESSOR	REALTY APPRAISAL CO.	10,000.00
1400233	TAX COLLECTOR	CURRY COPY CENTER	416.50
1400234	TAX COLLECTOR	MGL PRINTING SOLUTIONS	446.00
1400235	TAX COLLECTOR	INFOCROSSING, INC.	9,436.96
1500268	PURCHASING	STAPLES	138.47
1500269	PURCHASING	STAPLES	487.11
1500270	PURCHASING	CURRY COPY CENTER	105.00
1500271	PURCHASING	DISCOUNT OFFICE SUPPLY	569.85
1500272	PURCHASING	JRM INDUSTRIES, INC.	34.00
1602904	POLICE	ATLANTIC TACTICAL	4,571.28
1603013	POLICE	DUPLITRON-NJ	756.29
1603072	POLICE	MAGLOCLEN	400.00
1603075	POLICE	DESIGN-N-STITCH	679.00
1603076	POLICE	BUSINESS SYSTEMS UNLIMITE	1,934.00
1603077	POLICE	FORD MOTOR CREDIT CO.	53,748.66
1603078	POLICE	PITNEY BOWES	802.73
1603079	POLICE	GOODYEAR AUTO SERVICE CTR	1,549.70
1603090	POLICE	ARTHUR O'KEEFE	192.66
1603094	POLICE	ALSTON'S CATERING COMPANY	865.00
1603095	POLICE	CIRCLE AUTO SERVICE INC.	1,294.31
1603096	POLICE	RACHLES/MICHELES CO.	7,036.05
1702875	FIRE DEPARTMENT	MOTOROLA	1,177.00
1702893	FIRE DEPARTMENT	MOBILE CONCEPTS	73,254.00
1702952	FIRE DEPARTMENT	LEAF FUNDING, INC.	19.06
1702965	FIRE DEPARTMENT	NFPA	1,045.50
1703035	FIRE DEPARTMENT	VALLEY HEALTH	190.00
1703037	FIRE DEPARTMENT	MID BERGEN FIRE HAZ-MAT	1,500.00
1703038	FIRE DEPARTMENT	REGIONAL COMMUNICATIONS I	866.25
1703039	FIRE DEPARTMENT	BEYER BROS. CORP.	1,186.43
1703040	FIRE DEPARTMENT	CUSTOM BANDAG, INC.	501.43
1703041	FIRE DEPARTMENT	CURTIS SERVICE CORP.	9,798.96
1703042	FIRE DEPARTMENT	TURNOUT FIRE & SAFETY INC	341.95
1703044	FIRE DEPARTMENT	ABSOLUTE FIRE PROT.CO.INC	7,156.09
1703045	FIRE DEPARTMENT	CURTIS SERVICE CORP.	1,375.43
1703046	FIRE DEPARTMENT	I.D.M. MEDICAL GAS CO	289.00
1703047	FIRE DEPARTMENT	TURNOUT FIRE & SAFETY INC	938.33
1703049	FIRE DEPARTMENT	BERGEN DOOR CO.	247.00
1703050	FIRE DEPARTMENT	VALLEY HEALTH	315.00
1703052	FIRE DEPARTMENT	CHENILLE PRODUCTS INC.	193.80
1703053	FIRE DEPARTMENT	ABSOLUTE FIRE PROT.CO.INC	192.00
1703054	FIRE DEPARTMENT	TURNOUT FIRE & SAFETY INC	155.48
1800669	CODE ENFORCEMENT	KAY PRINTING & ENVELOPE	350.67
1800670	CODE ENFORCEMENT	MUNICIPAL INSPECTION CORP	8,113.00
2101568	DPW ADMINISTRATION	VERIZON	10,779.85
2101583	DPW ADMINISTRATION	VERIZON	323.31
2101587	DPW ADMINISTRATION	PUBLIC SERV.ELEC.& GAS CO	23,899.89
2101589	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	1,601.66
2101590	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	1,670.83
2101591	DPW ADMINISTRATION	VERIZON SELECT SERVICES	391.59
2101592	DPW ADMINISTRATION	VERIZON	823.42
2101593	DPW ADMINISTRATION	VERIZON	882.07
2101594	DPW ADMINISTRATION	A T & T	64.46
2101595	DPW ADMINISTRATION	UNITED WATER NEW JERSEY	28,184.30
2101611	DPW ADMINISTRATION	HOLY NAME HOSPITAL	220.00
2101612	DPW ADMINISTRATION	MIELE SANITATION CO.	23,560.60
2101613	DPW ADMINISTRATION	MIELE SANITATION CO.	23,347.80
2101614	DPW ADMINISTRATION	CURRY COPY CENTER	296.00
2101615	DPW ADMINISTRATION	BCUA	71,181.74
2201049	BUILDING & GROUNDS	ARNIE FENCE COMPANY	576.00
2201054	BUILDING & GROUNDS	HORIZON PEST CONTROL	461.95
2201055	BUILDING & GROUNDS	MAGIC TOUCH CONSTRUCTION	904.80
2201056	BUILDING & GROUNDS	JEWEL ELECTRIC SUPPLY CO.	361.50

VOUCHER NO.	DEPARTMENT	PAYEE	AMOUNT
2201057	BUILDING & GROUNDS	PRESTIGE CHEMICALS INC	887.00
2201058	BUILDING & GROUNDS	LOADING DOCK, INC.	577.50
2201059	BUILDING & GROUNDS	LOADING DOCK, INC.	1,973.59
2201061	BUILDING & GROUNDS	LOADING DOCK, INC.	320.00
2201062	BUILDING & GROUNDS	POW-R-SAVE, INC.	275.00
2201063	BUILDING & GROUNDS	LOADING DOCK, INC.	280.00
2201064	BUILDING & GROUNDS	POW-R-SAVE, INC.	370.50
2201065	BUILDING & GROUNDS	HORIZON PEST CONTROL	461.95
2502967	DPW CENTRAL MAINT.GAR.	US CHEMICAL PROCUREMENT	651.17
2502968	DPW CENTRAL MAINT.GAR.	ATCO INTERNATIONAL	198.00
2502969	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	310.50
2502970	DPW CENTRAL MAINT.GAR.	AUTOMOTIVE BRAKE CO	2,671.18
2502974	DPW CENTRAL MAINT.GAR.	UNITED ENVIRONMENTAL	1,027.00
2502975	DPW CENTRAL MAINT.GAR.	UNITED MOTOR PARTS, INC.	397.83
2502977	DPW CENTRAL MAINT.GAR.	CLIFFSIDE BODY CORP	2,650.26
2502978	DPW CENTRAL MAINT.GAR.	STORR TRACTOR COMPANY	296.80
2502979	DPW CENTRAL MAINT.GAR.	TIMMERMAN EQUIPMENT	1,163.87
2502980	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	386.30
2502987	DPW CENTRAL MAINT.GAR.	BEYER BROS. CORP.	455.74
2502988	DPW CENTRAL MAINT.GAR.	DUECO, INC.	1,772.94
2502989	DPW CENTRAL MAINT.GAR.	DAVID WEBER OIL COMPANY	2,501.35
2502990	DPW CENTRAL MAINT.GAR.	STORR TRACTOR COMPANY	232.84
2502991	DPW CENTRAL MAINT.GAR.	DANLINE INC.	2,780.00
2900206	DPW SANITATION	NORTHERN SAFETY CO	196.69
2900207	DPW SANITATION	NORTHERN SAFETY CO	182.36
3100122	DPW SHADE TREE	NORTHEASTERN ARBORIST	1,830.55
3100123	DPW SHADE TREE	NORTHEASTERN ARBORIST	906.58
3200366	DPW SEWER	AMERICANS BODYSHOP	707.50
3200371	DPW SEWER	JC SUPPLY CO	878.00
3200372	DPW SEWER	M. INGANNAMORTE & SON.INC	8,865.00
4000925	MUNICIPAL COURT	VERIZON	214.69
4000938	MUNICIPAL COURT	DEER PARK WATER	18.22
4000966	MUNICIPAL COURT	THOMSON WEST	497.00
4000970	MUNICIPAL COURT	DISCOUNT OFFICE SUPPLY	395.00
4100865	HEALTH	PITNEY BOWES-PURCHASE POW	200.00
4100874	HEALTH	SKILLPATH SEMINARS	1,044.90
4100884	HEALTH	JOHN KANG	345.00
4100904	HEALTH	BERGEN COUNTY DEPT OF	10,219.17
4100920	HEALTH	FRA TECHNOLOGIES	9,700.00
4100926	HEALTH	TRANSLATION PLUS	465.00
4100929	HEALTH	SHOPRITE OF ENGLEWOOD	148.35
4100930	HEALTH	NJDEP	200.00
4100931	HEALTH	WELLS FARGO FIN. LEASING	1,200.00
4302523	RECREATION	PUBLIC SERV.ELEC.& GAS CO	1,212.88
4302542	RECREATION	TODD HARRIS CO.,INC.	1,553.00
4302557	RECREATION	AMERICAN LEISURE CORP.	22,500.00
4302558	RECREATION	FIRST STUDENT	5,815.00
4302559	RECREATION	VANDERHOOF TRANSPORTATION	4,377.00
4302573	RECREATION	COCO KEY WATER RESORT	975.00
4302577	RECREATION	MAZZA VINEYARDS INC	600.00
4302591	RECREATION	SPORTWIDE	485.60
4302592	RECREATION	PUBLIC SERV.ELEC.& GAS CO	3,197.23
4302595	RECREATION	ARNIE FENCE COMPANY	1,095.00
4302605	RECREATION	FERTI-SOIL TURF SUPPLY	925.00
4302608	RECREATION	ISLAND SURF AND SAIL	2,999.99
4302611	RECREATION	JACE GENEAL CONTRACTORS	900.00
4302612	RECREATION	MAGIC TOUCH CONSTRUCTION	1,856.35
4302613	RECREATION	ARNIE FENCE COMPANY	580.00
4302615	RECREATION	EAGLE PAINT & WALLPAPER	328.25
4302617	RECREATION	JOHN A. EARL INC.	413.82
4302625	RECREATION	BOLLINGER, INC.	1,694.00
4302626	RECREATION	AGL WELDING SUPPLY CO.	239.84
4302633	RECREATION	GILL ASSOCIATES	437.50
4302634	RECREATION	PC WAREHOUSE	199.95
4302635	RECREATION	FLAT ROCK BROOK NATURE	180.00
<b>Grand Total</b>			<b>1,669,250.93</b>

CITY OF ENGLEWOOD

RESOLUTION # 159-08-10-10

**Authorizing the Adoption of the 2010 Budget**

**BE IT RESOLVED** BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, that the 2010 Budget, as approved on May 25, 2010, is hereby adopted;

**BE IT FURTHER RESOLVED** that the sums contained in the Official Budget constitute the appropriations and tax levy for the year 2010; and

**BE IT FURTHER RESOLVED** that the Budget authorizes the following:

\$47,214,620.00 in the Amount to be Raised Through Taxes for Municipal Purposes for 2010 (Including \$2,823,944 for the year 2010 BCUA Sewer Tax. Accordingly, \$44,390,676.00 is raised through taxes for City purposes)

\$60,433,110.72 in Total Appropriations for 2010

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer is hereby authorized to complete Sheet 41 and 42 of the Official Budget and is further authorized to make the necessary adjustments to the City of Englewood Annual Financial Statements including account cancellations and establishing accounts receivable.

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 # 160-08-10-10

**RESOLUTION AMENDING THE 2010 CAPITAL BUDGET FOR THE CITY OF ENGLEWOOD**

**WHEREAS** the City Council is introducing two ordinances reappropriating funds no longer needed for their original purpose for the dredging of the Quarry Pond; and

**WHEREAS** N.J.A.C. 5:30-4.4B provides that the Capital Budget shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget; and

**NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD**, County of Bergen, New Jersey that the 2010 Capital Budget be amended to include the dredging of Quarry Pond not previously provided for in the Capital Budget:

CAPITAL BUDGET 2010

Project title:	Dredging of Quarry Pond
Estimated Total Cost	\$280,000
Planned Funding for 2010	
Debt Authorized (5e)	\$280,000

**BE IT FURTHER RESOLVED** that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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 #161-08-10-10**

**APPROVING 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 by the City Council on first reading on July 20, 2010; and

**WHEREAS**, N.J.S.A. 40:56-65 et seq. requires that the budget be approved by the City Council on second reading 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 budget for the Englewood Special Improvement District for FY 2011 is hereby approved.

<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.** The Englewood Economic Development Corporation is hereby authorized to make charges and payments for the Special Improvement District

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

ORDINANCE #10-16

**AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR THE CITY OF ENGLEWOOD DEPARTMENT OF PUBLIC WORKS AND APPROPRIATING \$1,305,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,243,000 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 improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Englewood, in the County of Bergen, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$1,305,500 including the sum of \$62,500 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has 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 improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,243,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued is the acquisition of equipment and trucks for the City's Department of Public Works, including, but not limited to, garbage packers fit with snow plows, dump trucks, four wheel drive dump trucks, multi use tractor with V-plow and salt spreader, and a brine storage tank and pumping system, and including all work and materials necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City 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 \$1,243,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$250,000 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 purpose or improvement.

(e) The City reasonably expects to commence acquisition and/or construction of the improvement or purpose 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 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

ORDINANCE #10-23

ORDINANCE AMENDING ARTICLE 12 SECTIONS 25-32 and 25-33  
OF THE TRAFFIC AND PARKING ORDINANCE OF THE REVISED  
GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

WHEREAS, Article 12 Sections 25-32 and 25-33 sets forth requirements for parking in metered zones; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend said Sections as well as Schedule XXII which is specifically referenced therein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Article 12, Sections 25-32 and 25-33, and Schedule XXII are amended to allow 2 hour metered parking in the following locations:

Depot Square South	South Side	Entire Length
Bergen Street	South Side	Entire Length
North Dean Street	West Side	Bergen Street to East Demarest Avenue
North Dean Street	East Side	Bergen Street to a point 225 feet south of the curb of East Demarest Avenue
North Van Brunt Street	Both Sides	West Palisade Avenue to Tallman Place
Park Place	Both Sides	Entire Length

Except as otherwise specifically amended above, the referenced Ordinances remain in full force and affect.

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

**CITY OF ENGLEWOOD**

**ORDINANCE #10-24**

**ORDINANCE REAPPROPRIATING \$29,794 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY.**

**BE IT ORDAINED BY THE 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$29,794 of the proceeds of obligations originally made available pursuant to Section 3(a) of Bond Ordinance No. 02-08 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted May 7, 2002 is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$29,794 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the dredging of Quarry Pond, including all work and materials necessary therefore or incidental thereto.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**CITY OF ENGLEWOOD**

**ORDINANCE #10-25**

**ORDINANCE REAPPROPRIATING \$249,597.72 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY**

**BE IT ORDAINED BY THE 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. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$249,597.72 of the proceeds of obligations originally made available pursuant to Section 3(h) of Bond Ordinance No. 07-01 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted February 13, 2007 is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$249,597.72 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the dredging of Quarry Pond, including all work and materials necessary therefore or incidental thereto.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**CITY OF ENGLEWOOD**

**ORDINANCE #10-26**

**AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY  
APPROPRIATION IN THE SUM OF \$250,000 FOR THE REASSESSMENT  
OF ALL REAL PROPERTY IN THE CITY OF ENGLEWOOD**

**WHEREAS**, the City of Englewood reevaluated all real property in calendar year 2006 and the results were incorporated onto the municipal tax records for the calendar year 2007; and

**WHEREAS**, N.J.S.A 18:12A-1.14 et. seq. permits a reassessment of all real property within the City; and

**WHEREAS**, due to the prevailing real estate market conditions the City Council of the City of Englewood determines that it is in the best interests of the future of the City to have a fair and equitable reflection of present values by performing a reassessment of all real property; and

**WHEREAS**, N.J.S.A. 40A:4-53 authorizes a municipality to adopt an ordinance authorizing special emergency appropriations for the preparation and execution of a complete program for the reassessment of real property,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Englewood, Bergen County, New Jersey, pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956, as amended), as follows:

Section 1. The sum of \$250,000 is hereby appropriated for the preparation and execution of a reassessment of all real property within the City of Englewood for the use of the local assessor as a special emergency appropriation as defined in and provided for in N.J.S.A. 40A:4-53.

Section 2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of the amount authorized pursuant to N.J.S.A. 40A:4-55.

Section 3. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect immediately upon passage and publication as provided by law and upon the filing with the Director of the Division of Local Government Services and the Department of Community Affairs.

**CITY OF ENGLEWOOD**

**ORDINANCE #10-19**

**ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 3 OF THE  
REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD  
AND REPEALING ORDINANCE NUMBER 05-23**

**WHEREAS**, the City of Englewood had previously adopted Ordinance Number 05-23 relating to the establishment of an affirmative action program; and

**WHEREAS**, the enforceability of said Ordinance under State and Federal law has been called into question; and

**WHEREAS**, it is the desire of the Governing Body of the City of Englewood to ensure that its Ordinances conform with State and Federal laws;

**NOW, THEREFORE, BE IT ORDAINED** that Ordinance Number 05-23 entitled an Ordinance Amending Article 6 of Chapter 3 of the revised General Ordinances of the City of Englewood relating to the Affirmative Action Program is hereby repealed.

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

Article 6. AFFIRMATIVE ACTION (92-30)

3-16. Definitions.

**Excluded persons** or excluded group means any group of persons which has been effectively or systematically excluded from either employment in the construction trades by reason of race, creed, color, national origin, ancestry, age, marital status or sex including, but not necessarily limited to, Blacks, persons with Spanish surnames, females and such other groups as may hereafter be designated as excluded groups by the City Council pursuant to section 3-20 hereof.

**Resident of the city** means any person who has been living in the city for 12 continuous months.

**Local business** means a business having its principal place of business within the City of Englewood.

**Excluded business** means a business which is independently owned and operated and is at least 51% owned and controlled by excluded persons or groups.

**City Manager** means the City Manager, Acting City Manager or designee of the City Manager.

3-17. Establishment and applicability of affirmative action program.

(a) The following affirmative action program for employment of excluded persons and contracting opportunities for excluded businesses as those terms are defined in Section 3-16, is hereby established by the council.

(b) The provisions of this affirmative action program shall apply to any construction contract entered into by the city, or any such contract providing for construction within the city of any project for which the city has granted tax abatement pursuant to law, if the total amount of such contract exceeds \$10,000.00. The provisions hereof shall also apply to any subcontract executed by any party to any such contract, if the amount of such subcontract exceeds \$10,000.00.

(c) Any person granted tax abatement by the Council respecting any construction to take place within the City shall, as a condition to the granting of such tax abatement, acknowledge his agreement that he will enforce the provisions of this article with regard to any contract entered into for any such construction. With respect to any such contract or project, references in this article to the city or the council shall be deemed to refer to the owner or developer of such project instead, and all such actions described herein to be taken by the council shall instead be deemed to refer to actions to be taken by the said owner or developer.

3-18. Employment of excluded persons: contracting opportunities to excluded businesses; contract requirements; waiver.

(a) Any person submitting a bid for the award of any contract to which the provisions of this article shall apply, shall submit, as part of his bid, a statement of the extent of his commitment to the employment of excluded persons and providing of contracting opportunities to excluded businesses in the performance of the contract on which he is bidding, which statement shall include;

(1) A designation of the different trades and subcontracts which will be involved in performance of the contract.

(2) A designation of the different classification of workers in each such trade (e.g., foreman, journeyman, apprentice, etc.) to be employed in the performance of the contract, and his estimate of the number of man-hours of workers in each such classification, who will be so employed, in monthly stages, throughout the life of the contract.

(3) The percentage of excluded persons, expressed in man-hours, which he will employ in each of the said classifications, throughout the life of the contract.

(4) The percentage of contracting opportunities to excluded businesses expressed in the total cost of the project, with which he will contract in each of the different trades or subcontracts, involved in the performance of the contract.

(b) Together with the aforesaid information and statements, a bidder shall submit with his bid, and as part thereof,

(1) Copies of all collective bargaining agreements covering workers to be employed on the project, including copies of such bargaining agreements of each subcontractor to be employed in performing his contract.

(2) If he shall be party to a referral agreement or arrangement with a union covering workers to be employed on this project, he shall submit with his bid a statement signed by an authorized union official, in which the union agrees as follows;

(i) The union will take such action as may be necessary with respect to the referral and the employment of excluded persons in order to enable the contractor to meet his obligations hereunder.

(ii) In the event that the training program provided by section 3-22 hereof shall be operative, the union will cooperate with the review board in providing On-site training on the construction site.

(iii) Journeymen from excluded groups employed by the contractor shall be admitted to union membership within the time limits contained in the applicable collective bargaining agreements, union constitutions and bylaws.

(c) In the event that any union shall fail or refuse to sign such a statement, the contractor shall submit with his bid, a detailed statement of the efforts made by him to have the union do so, including a statement of the reasons given him by the union as to why it would not sign such a statement, provided however, that the failure of a union to sign the statement described above shall not excuse the contractor from his obligations to comply with the conditions and provisions of the affirmative action program set forth herein

(d) To insure fair employment representation of excluded persons and for contracting opportunities to excluded businesses and to measure compliance with this affirmative action program, a goal of employment of not less than 20% of excluded persons with one-half thereof to be residents of the City and a goal of contracting opportunities of not less than 20% of excluded businesses with, one-half thereof to be local businesses, is hereby established. Said goal shall be reviewed from time to time by the Council to determine whether the same does effectively promote employment of excluded persons and contracting opportunities to excluded businesses and may be changed or modified to accomplish that end.

(e) To satisfy the requirements of this affirmative action program, and to qualify as a bid which conforms herewith, the percentage of excluded persons employed and percentage of excluded businesses contracted in each trade and in each employment classification during the performance of the contract must be such as to insure fair employment representation of excluded persons and fair contracting opportunities to excluded businesses. Compliance with the goal set forth above shall be presumptive proof of fair employment representation of excluded persons and fair contracting opportunities to excluded businesses and compliance with this affirmative action program, and noncompliance with this affirmative action program, and noncompliance with such goal shall be presumptive proof to the contrary.

(f) In the event that the bidder believes that he is unable to commit to the employment of excluded persons and contracting opportunities to excluded businesses in the manner and to the extent described in paragraph (d) of this section, he shall submit with his bid, and as a part thereof:

(1) A full statement of the reasons therefor;

(2) A description of the efforts he has made to enable himself to comply therewith;

(3) A statement of the percentage of excluded persons which he is able to agree to employ and the percentage of excluded businesses which is able to agree to provide contracting opportunities in performing the contract, classified as described in paragraphs (d) and (e) hereof;

(4) A statement of actions he proposes and is willing to take, in the event that he is awarded the bid, to enable him to comply with the foregoing requirements.

(g) In the event that the Council determines, after considering the report received from the City Manager, as hereinafter provided, that compliance with the aforesaid requirements of employment of excluded persons and providing contracting opportunities to excluded businesses cannot reasonably be attained with respect to a particular contract or subcontract, then the Council may elect to waive such non-compliance and accept such bid and award such contract regardless of such non-compliance provided, however, that in doing so the Council shall state, as part of its resolution accepting such bid and awarding such contract, its reasons for reaching such conclusion and provided further, that the Council, as part of such acceptance and award, may require appropriate designated actions to be taken by the contractor to attempt to meet, or approach as close as possible, the above described percentage of contracting opportunities and employment of excluded persons.

### 3-19. Commitment part of contract.

The commitments for employment of excluded persons and contracting opportunities to excluded businesses contained in the contractor's bid shall be deemed an essential part of his contract, and a substantial noncompliance therewith during the life of the contract shall be deemed a breach of an essential provision of such contract, which subject to the provisions of section 3-26 hereof, shall give the City the right to take such remedial action as shall be available to it in the event of a breach of any other essential provision of such contract.

### 3-20. Administration.

(a) All bids which are required to conform to the provisions of this affirmative action program shall be submitted to the City Manager prior to being submitted to the Council. The City Manager shall review the same and thereafter report to the Council as to whether or not such bids comply with the provisions hereof. As part of its report, the City Manager may make such recommendations and comments as it deems appropriate regarding the bids submitted and the action it suggests be taken by the council.

(b) During the performance of any contract to which this affirmative action program applies, the City Manager shall regularly review and monitor the performance of the contractor with regard to his compliance with the provisions of this program, with the provisions contained in his bid, and with any provisions contained in the resolution of the Council accepting such bid, and shall advise the Council of any non-compliance with any of same.

(c) The City Manager shall have the power and authority to adopt rules and regulations, not inconsistent with the provisions of this article, to implement and effectuate the policy and intent of this article, which rules and regulations may include, but shall not be limited to:

(1) Prescribing forms to be used in submitting the information required to be submitted with any bid, and to be used in submitting reports to the City Manager for use by the City Manager in investigating and reviewing a contractor's compliance herewith during the performance of any contract.

(2) Identifying as excluded groups, groups of persons which the City Manager finds to have been effectively or systematically excluded from employment in the construction trades by reason of race, creed, color, national origin, ancestry, age, marital status, or sex and recommend same to the City Council for incorporation hereunder.

(d) In the event of a dispute, question, or uncertainty as to whether any person is an excluded person within the meaning of this article, such dispute, question, or uncertainty shall be resolved by the City Council, using the standards and criteria established by the United States Bureau of the Census for the purpose of making such classifications.

(e) To the extent practicable, the City Manager shall maintain a listing of excluded businesses organized by trade and make such list available to bidders.

### 3-21. Contractor's affirmative action officer; maintenance of records.

(a) The contractor shall, either as part of his bid or immediately after his bid is accepted, designate some person (who shall be an officer of the corporation if the contractor is a corporation, or a principal of the contractor if the contractor is not a corporation) to be affirmative action officer, who shall be responsible for administering the affirmative action program detailed herein, and who shall meet regularly, or as may be required, with the City Manager to insure compliance with the provisions hereof.

(b) The contractor shall keep accurate, detailed records of the number of workers of each classification (e.g., foreman, journeyman, apprentice, etc.) employed in each trade during the performance of the contract, including the name of such workers, the hours worked by each and the dates thereof, as well as records as to which of such workers are minority workers, all of such records and information to be maintained and supplied to the City Manager in such form and detail as the City Manager may designate.

### 3-22. Training program.

(a) The provisions of this section shall apply to a bid or contract only if funds are available from the United States government or other governmental or non-governmental sources, to cover the cost of same. If at the time that specifications for bids are submitted to prospective bidders, it is known whether or not such funds are available, then such specifications may state whether or not the provisions hereof are applicable, or if it is not then known whether such funds are available, then the specifications shall so state and shall also state that if such funds shall be made available, then the successful bidder shall be required to comply with the provisions hereof.

(b) As used herein, the following terms shall have the following designated meanings:

(1) Advanced trainee means a worker who has experience and skills used in construction work but lacks the skills to be qualified as a journeyman and is classified by the City Manager, as an advanced trainee;

(2) Basic trainee means an applicant for employment who does not possess the qualifications for entrance into an apprenticeship program but demonstrates an interest in pursuing a craft in the construction industry and is classified by the City Manager as a basic trainee.

(c) Any person submitting a bid for the award of any contract to which the provisions of this section shall apply, shall submit, as part of his bid, a statement of his agreement to support and participate in an on-site training program as herein provided.

(d) The number of trainees who shall participate in the program, during the period of construction, shall be determined by the City Manager, and, if it is feasible to do so, the bid specifications shall designate that number or, if it is not feasible to so specify prior to receipt of bids, then the City Manager shall designate such number as soon as reasonably possible thereafter. In determining such feasible number of trainees, the City Manager may consult with the contractor, with any unions involved, or with any other source which it believes may provide useful information.

(e) The obligations of the contractor shall include his:

(1) Considering for employment as journeymen, basic trainees and advanced trainees, persons referred to him by the City Manager, by the New Jersey employment service or by any other source, provided that such persons have first been classified by the City Manager as hereinafter provided. If the contractor does not employ any person so referred, he shall submit to the City Manager, a written statement of his reasons for such rejection, within 24 hours thereof.

(2) Providing on-site training for persons referred to him as provided in (1) (or any other persons approved by the review board), the scope and content of such program to be approved by the City Manager.

(f) The City Manager shall screen all referrals from the New Jersey employment service and from any other organizations engaged in, or willing to assist in, the obtaining of employment for excluded persons (and shall solicit referrals from such organizations) and shall determine the qualifications of and classify persons as journeymen, advanced trainees, and basic trainees for the purpose of applying the provisions hereof, such classification and qualification to be based solely upon experience, ability, on-the-job evaluation, and, where necessary or advisable, oral, written, or performance examinations developed or approved by the New Jersey State Department of Labor and Industry, Division of Employment Security, and shall not include any arbitrary criteria unrelated to job skill or ability to learn job performance.

(g) No contractor shall be required to employ more trainees than the number permissible under the apprentices to journeymen employment ratio specified in any applicable collective bargaining agreement, or if there is no applicable agreement, the established ratio in the trade, or the ratio established by industry usage; provided, that no ratio requiring the employment of more than 5 journeymen for each apprentice shall be applicable where the employment of excluded group apprentices and trainees is necessary in order to enable the contractor to meet his obligations hereunder.

(h) The City Manager shall regularly review and monitor the performance of the contractor with regard to the operation of the training program and his compliance with the provisions hereof, and shall advise the council of any non-compliance with any requirement hereof, in the same manner as described in section 3-20 above, and shall have the same rule-making power, with regard to the training program herein described, as is described in the said section 3-20.

3-23. Applicability to subcontracts.

The provisions of this article shall apply to each subcontract in a total amount of \$10,000.00 or more to the same extent as it applies to a prime contractor. Each prime contractor shall be responsible for compliance by his subcontractors with all applicable provisions hereof and the inclusion in any such subcontracts of provisions which bind the subcontractor to comply herewith.

3-24. Compliance with union contracts.

Nothing contained in this article shall preclude any contractor from complying with the hiring hall or apprenticeship provisions in any applicable collective bargaining agreement or hiring hall arrangement, and, where required by custom or agreement, he shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement, provided, however, that where the practices of a union or apprenticeship program still result in the exclusion of excluded persons or the failure to refer excluded group persons, so that the contractor will be unable to meet his obligations hereunder, the contractor shall consider for employment persons referred by the City Manager without regard to such agreement or arrangement. The contractor will notify the City Manager whenever he has reason to believe that a union with which he has a hiring hall or referral arrangement or an apprenticeship program, engages in such referral, membership, admission, or other practices as will substantially impede the contractor in his efforts to meet his affirmative action obligations hereunder; provided, however, that no action, inaction, or refusal of cooperation by a union shall excuse any contractor from complying with his obligations under this article

3-25 Enforcement of program.

All contractors and subcontractors to whom this article applies shall, by virtue of any contract entered into between the City and the contractor, be deemed to agree that the City shall be a third party beneficiary with respect to the affirmative action provisions of all contracts relating to this project, and that as third party beneficiary, the City may take such legal action to enforce the provisions referred to as it may deem necessary, without the approval or consent of any other contractors or subcontractors.

(a) In the event that a contractor shall fail to comply with his excluded persons employment and contractor opportunities or on the job training obligations hereunder then, unless he is able to demonstrate to the City Manager that such compliance is not possible, the City Manager shall serve upon him a written notice of such violation and, in the event that he shall not cease such violation within 7 days after his receipt thereof, he shall be deemed to have defaulted in performance of an essential provision of his contract.

- (b) In the event of such default, the city may:
- (1) Institute suit or commence a proceeding in arbitration against the party in default, or if such party is a subcontractor, direct the contractor to do so; or
  - (2) Take all other actions available at law or equity for the breach of a material condition of a contract including termination of such contract.

CITY OF ENGLEWOOD

ORDINANCE NO. 05-23

AN ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 3 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO THE AFFIRMATIVE ACTION PROGRAM

WHEREAS, the City of Englewood has a compelling interest in ensuring the contracts undertaken with public funds are performed at the lowest responsible costs and with the highest degree of quality; and

WHEREAS, the employment of apprentices in such contracts can lower costs while providing valuable and rewarding work opportunities for new workers; and

WHEREAS, a highly skilled workforce ensures the efficient, economical and safe completion of public contracts; and

WHEREAS, the City of Englewood also seeks to ensure that job opportunities generated by contracts undertaken with public funds are also utilized to help low-income, minority and woman workers gain access to careers in the construction trades; and

WHEREAS, the City of Englewood seeks to promote meaningful job opportunities for its citizens; and

WHEREAS, the City of Englewood seeks to ensure that contracts undertaken with public funds are completed with a diverse workforce; and

WHEREAS, the benefits received by contractors performing City work regulated by this ordinance will create opportunities to employ a substantial number of apprentices, thus ensuring that these public projects will expand access to living wage careers in the construction trades for a new generation of workers; and

WHEREAS, Union-affiliated apprenticeship programs offer access to larger numbers of long-term living-wage careers in the construction trades than non union-affiliated programs,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, Bergen County, New Jersey, as follows:

SECTION 1. Article 6 of Chapter 3 of the Revised General Ordinances of the City of Englewood, relating to the Affirmative Action Program, as heretofore amended by Ordinance 92-30, is hereby amended to read in full as follows:

Article 6. AFFIRMATIVE ACTION PROGRAM

3-16. Definitions.

As used in this article:

**Excluded persons** or **excluded group** means any group of persons which has been effectively or systematically excluded from employment in the construction trades by reason of race, creed, color, national origin, ancestry, age, marital status or sex including, but not necessarily limited to, Blacks, persons with Spanish surnames and such other groups as may hereafter be designated as excluded groups by the review board pursuant to section 3-20 hereof.

**Resident of the City** means any person who has been living in the City for 12 continuous months.

**Local business** means a business having its principal place of business within the City of Englewood.

**Excluded business** means a business which is independently owned and operated and is at least 51% owned and controlled by excluded persons or groups.

**City Manager** means the City Manager, Acting City Manager, or designee of the City Manager.

**Public Construction Contract** means any construction contract entered into by the City or any contract providing for construction within the City of any project for which the City has granted tax abatement pursuant to law, or

which is included as part of a redevelopment project undertaken pursuant to *N.J.S.A. 40A:12A-1 et seq.* or which is undertaken, in whole or in part, using public funds.

3-17. Establishment and applicability of affirmative action program.

(a) The following affirmative action program for employment of excluded persons and contracting opportunities for excluded businesses as those terms are defined in section 3-16, is hereby established by the City Council.

(b) The provisions of this affirmative action program shall apply to any Public Construction Contract, if the total amount of such contract exceeds \$10,000. The provisions hereof shall also apply to any subcontract executed by any party to any such contract, if the amount of such subcontract exceeds \$10,000.

(c) Any person granted tax abatement by the City Council respecting any construction to take place within the City, or who has entered into a Redevelopment Agreement with the City as part of a redevelopment project undertaken pursuant to *N.J.S.A. 40A:12A-1 et seq.* or who has entered into a construction contract which is undertaken, in whole or in part, using public funds of the City of Englewood, shall, as a condition to the granting of such tax abatement, entering into the Redevelopment contract or receiving public funds from the City of Englewood, acknowledge in his/her agreement that he/she will enforce the provisions of this article with regard to any contract entered into for any such construction. With respect to any such contract or project, references in this article to the City or the City Council shall be deemed to refer to the owner or developer of such project instead, and all such actions described herein to be taken by the City Council shall instead be deemed to refer to actions to be taken by the said owner or developer.

(d) The provisions of this Article shall be in addition to the requirements of *N.J.S.A. 10:5-31 et seq.* and *N.J.A.C. 17:27-1 et seq.*

3-18. Employment of excluded persons; contracting opportunities to excluded businesses; contract requirements; waiver.

(a) Any person submitting a bid or proposal for the award of any contract to which the provisions of this article shall apply, shall submit, as part of his bid, a statement of the extent of his commitment to the employment of excluded and providing of contracting opportunities to excluded in the performance of the contract on which he is bidding, which statement shall include:

(1) A designation of the different trades and subcontracts which will be involved in performance of the contract.

(2) A designation of the different classification of workers in each such trade (e.g., foreman, journeyman, apprentice, etc.) to be employed in the performance of the contract, and his estimate of the number of man-hours of workers in each such classification, who will be so employed, in monthly stages, throughout the life of the contract.

(3) The percentage of excluded persona, expressed in man-hours, which he will employ in each of the said classifications, throughout the life of the contract.

(4) The percentage of contracting opportunities to excluded businesses expressed in the total cost of the project, with which he will contract in each of the different trades or subcontracts, involved in the performance of the contract.

(b) Together with the aforesaid information and statement, a bidder shall submit with his bid, and as part thereof:

(1) Copies of all collective bargaining agreements covering workers to be employed on the project, including copies of such bargaining agreements of each subcontractor to be employed in performing his contract.

(2) If he shall be party to a referral agreement or arrangement with a union covering workers to be employed on this project, he shall submit with his bid a statement signed by an authorized union official in which the union agrees as follow:

(i) The union will take such action as may be necessary with respect to the referral and the employment of excluded persona in order to enable the contractor to meet his obligation hereunder.

(ii) in the event that the training program provided by section 3-22 hereof shall be operative, the union will cooperate with the review board in providing on-site training on the construction site.

(iii) Journeymen from excluded groups employed by the contractor shall be

admitted to union membership within the time limits contained in the applicable collective bargaining agreements, union constitutions, and by-laws.

(c) In the event that any union shall fail or refuse to sign such a statement, the contractor shall submit with his bid, a detailed statement of the efforts made by him to have the union do so, including a statement of the reasons given him by the union as to why it would not sign such a statement, provided however, that the failure of a union to sign the statement described above shall not excuse the contractor from his obligations to comply with the conditions and provisions of the affirmative action program set forth herein.

(d) To insure fair employment representation of excluded persons and for contracting opportunities to excluded businesses and to measure compliance with this affirmative action program, a goal of employment of not less than 20% of excluded persons with one-half thereof to be residents of the City and a goal of contracting opportunities of not less than 20% of excluded businesses with one-half thereof to be local businesses is hereby established. Said goal shall be reviewed from time to time by the City Council to determine whether the same does effectively promote employment of excluded persons and contracting opportunities to excluded businesses and may be changed or modified to accomplish that end.

(e) To satisfy the requirements of this affirmative action program, and to qualify as a bid or proposal which conforms herewith, the percentage of excluded persons employed and percentage of excluded businesses contracted in each trade and in each employment classification during the performance of the contract must be such as to insure fair employment representation of excluded persons and fair contracting opportunities to excluded businesses. Compliance with the goal set forth above shall be presumptive proof of fair employment representation of excluded persons and fair contracting opportunities to excluded businesses and compliance with this affirmative action program, and noncompliance with this affirmative action program and noncompliance with such goal shall be presumptive proof to the contrary.

(f) In the event that the bidder believes that he is unable to commit to the employment of excluded persons and contracting opportunities to excluded businesses in the manner and to the extent described in paragraph (d) of this section, he shall submit with his bid, and as a part thereof:

- (1) A full statement of the reasons therefor;
- (2) A description of the efforts he has made to enable himself to comply therewith;
- (3) A statement of the percentage of excluded persons which he is able to agree to employ and the percentage of excluded businesses to which he is able to agree to provide contracting opportunities in performing the contract classified as described in paragraphs (d) and (a) hereof;
- (4) A statement of actions he proposes and is willing to take, in the event that he is awarded the bid or proposal, to enable him to comply with the foregoing requirements.

(g) In the event that the City Council determines, after considering the report received from the City Manager, as hereinafter provided, that compliance with the aforesaid requirements of employment of excluded persons provided to excluded businesses cannot reasonably be attained with respect to a particular contract or subcontract, then the City Council may elect to waive such non-compliance and accept such bid or proposal and award such contract regardless of such non-compliance provided, however, that in doing so the City Council shall state, as part of its resolution accepting such bid or proposal and awarding such contract, its reasons for reaching such conclusion and provided further, that the City Council, as part of such acceptance and award, may require appropriate designated actions to be taken by the contractor to attempt to meet, or approach as close as possible, the above described percentage of contracting opportunities and employment of excluded persons.

### 3-19. Commitment part of contract.

The commitments for employment of excluded persons and contracting opportunities to excluded businesses contained in the contractor's bid or proposal shall be deemed an essential part of his contract, and a substantial noncompliance therewith during the life of the contract

shall be deemed a breach of an essential provision of such contract, which subject to the provisions of section 3-26 hereof, shall give the City the right to take such remedial action as shall be available to it in the event of a breach of any other essential provision of such contract.

### 3-20. Administration.

(a) All bid or proposals which are required to conform to the provisions of this affirmative action program shall be submitted to the City Manager prior to being submitted to the City Council. The City Manager shall review the same and thereafter report to the City Council as to whether or not such bid or proposal comply with the

provisions hereof. As part of his report, the City Manager may make such recommendations and comments as he deems appropriate regarding the bid or proposals submitted and the action he suggests be taken by the City Council.

(b) During the performance of any contract to which this affirmative action program applies, the City Manager shall regularly review and monitor the performance of the contractor with regard to his compliance with the provisions of this program, with the provisions contained in his bid or proposal, and with any provisions contained in the resolution of the City Council accepting such bid or proposal, and shall advise the City Council of any non-compliance with any of same.

(c) The City Manager shall have the power and authority to adopt rules and regulations, not inconsistent with the provisions of this article, to implement and effectuate the policy and intent of this article, which rules and regulations may include, but not be limited to:

(1) prescribing forms to be used in submitting the information required to be submitted with any bid or proposal, and to be used in submitting reports to the City Manager for use by the City Manager in investigating and reviewing a contractor's compliance herewith during the performance of any contract.

(2) identifying as excluded groups, groups of persons which the City Manager finds to have been effectively or systematically excluded from employment in the construction trades by reason of race, creed, color, national origin, ancestry, age, marital status, or sex and recommend same to the City Council for incorporation hereunder.

(d) In the event of a dispute, question, or uncertainty as to whether any person is an excluded person within the meaning of this article, such dispute, question, or uncertainty shall be resolved by the City Council, using the standards and criteria established by the United States Bureau of the Census for the purpose of making such classifications.

(e) To the extent practicable, the City Manager shall maintain a listing of excluded businesses organized by trade and make such list available to bidders and contractors.

### 3-21. Contractors affirmative action officer; maintenance of records.

(a) The contractor shall, either as part of his bid or proposal or immediately after his bid or proposal is accepted, designate some person (who shall be an officer of the corporation, if the contractor is a corporation, or a principal of the contractor if the contractor is not a corporation) to be affirmative action officer, who shall be responsible for administering the affirmative action program detailed herein, and who shall meet regularly or as may be required, with the City Manager to insure compliance with the provisions hereof.

(b) The contractor shall keep accurate detailed records of the number of workers of each classification (e.g., foreman, journeyman, apprentice, etc.) employed in each trade during the performance of the contracts including the name of such workers, the hours worked by each and the dates thereof, as well as records as to which of such workers are minority workers, all of such records and information to be maintained and supplied to the City Manager in such form and detail as the City manager may designate.

### 3-22. Training program.

(a) The provisions of this section shall apply to a Public Construction Contract where the cost thereof is \$1,000,000.00 or more

(b) Definitions.

For purposes of this chapter, the following terms shall have the following meanings:

APPROPRIATE LABOR ORGANIZATION - An organization representing, for collective bargaining purposes, journey level workers and apprentices in one or more crafts or trades and which:

1. Operates an apprenticeship training program in an appropriate craft or trade that is registered with the United States Department of Labor, Employment and Training Administration, Bureau of Apprenticeship and Training;
2. Has entered into a labor agreement with an employer or multi-employers in the building and construction industry in New Jersey;
3. Has represented journey level workers, mechanics and apprentices employed on public construction contracts;
4. Possesses the ability to refer, provide or represent qualified and journey level workers in the crafts or trades required by the public construction contract in sufficient numbers to perform the contracted work involved in that contract.

CITY OF ENGLEWOOD - The City of Englewood and all public agencies and authorities created, controlled, or directed by the City of Englewood.

(c) Labor force requirements.

(1.) Mandatory apprenticeship for public construction contracts. All requests for proposals and specifications for public construction contracts, and all such contracts, shall require that 20% of the building trade labor hours required under each such contract shall be performed by a person or persons enrolled in a local federally registered apprenticeship program or who are apprenticeship equivalents as that term is used by the State of New Jersey in the Abbott Project Labor Agreement (2003). In addition, 50% of all such apprentices shall be first-year apprentices who shall have completed a preapprenticeship training program, either approved and funded by the New Jersey Department of Labor as of January 1, 2003, or approved by the Englewood Community Apprenticeship Initiative (ECAI), through processes developed pursuant to paragraph (d) of this section.

(2.) Contractors and subcontractors. All public construction contracts must require that the contractor and subcontractors hire workers in federally registered apprenticeship programs to comply with this chapter. All requests for proposals and all specifications relating to public construction contracts subject to this chapter shall contain such requirements.

(3.) Labor hours. All requests for proposals and all specifications for public construction contracts, and all such contracts, shall require that 20% of the labor hours required under such contracts in all trades and at all levels shall be performed by workers who have participated in a federal or state approved apprenticeship program or who are apprenticeship equivalents as that term is used by the Department of Labor of the State of New Jersey. Apprenticeship equivalents shall be utilized to the extent permitted by the regulations and guidelines of the Department of Labor of the State of New Jersey, and they shall be paid prevailing apprentice wages and shall have identical benefits pending their admission as full apprentices. In addition, 50% of all said apprentices shall be first-year apprentices and shall be drawn from ECAI approved preapprenticeship programs.

(4.) Special circumstances. In the event that a condition exists whereby there are not sufficient available applicants to satisfy the labor force requirements of this chapter, then the affected contractor or subcontractor shall be required to supply funding equal to the cost of training an equivalent number of preapprentices in a ECAI approved preapprenticeship program. Such contractor or subcontractor must provide proof to the ECAI that a good-faith effort has been made to comply with the conditions of this chapter.

(d) Englewood Community Apprenticeship Initiative.

(1.) Establishment. The City of Englewood thereby establishes the Englewood Community Apprenticeship Initiative (ECAI), to ensure the ongoing training of preapprentices qualified to apply for federally registered apprenticeship programs and to provide the support services such preapprentices need to pursue successful careers in the construction trades.

(2.) Advisory Board. The ECAI shall be governed by an Advisory Board of up to nine members selected annually by the City Council

(3.) Referral source. The ECAI shall select one or more preapprenticeship programs to serve as the designated preapprentice referral source for purposes of this chapter.

(4.) Operation and curriculum. The ECAI shall supervise the development and operation of the approved preapprenticeship programs and shall retain authority to review and approve their curriculum and procedures for recruiting and selecting participants. The ECAI shall ensure that all approved preapprenticeship programs are operated in such a manner that successful graduates of the preapprenticeship programs will be equipped and eligible for entry into apprenticeship programs.

(5.) Preparatory services. The ECAI shall ensure that the selected preapprenticeship programs provide all necessary preparatory services for enrolled preapprentices, including assistance with GED preparation, obtaining drivers' licenses where appropriate, mentoring and other supportive services for preapprentices.

(6.) Training and monitoring. The ECAI shall administer the training and monitor the funding utilized to provide the preapprenticeship programs approved hereunder.

(7.) Duty to enforce. The ECAI shall coordinate, monitor and enforce the requirements of this chapter so as to ensure that the apprentices are being utilized by the contractors and subcontractors in public construction contracts as required by this chapter.

(e) Funding for preapprenticeship programs.

All public construction contracts shall include a requirement that the contractor and all subcontractors

performing work pursuant to such contracts contribute to the ECAI a certain sum per worker hour projected to be worked on the project. The ECAI is hereby authorized to adopt this fee consistent with the laws of the State of New Jersey and the Code of the City of Englewood. This contractor contribution rate shall be calculated according to a formula to be determined by the ECAI that takes into account the cost of operating a preapprenticeship program such that there will be adequate funding to ensure the graduation of workers sufficient to perform 20% of the work hours projected for each public construction contract, and also to provide adequate funding to cover the costs of monitoring compliance with the provisions of this chapter. The imposition of such fee, however, shall require approval by resolution of the City Council of the City of Englewood.

(f) Inclusion of minorities and women.

Public construction contracts shall require that 20% of the labor force be composed of women and minority group members, as that term is defined by N.J.S.A. 40A:1 1-41. All requests for proposals and specifications for public construction contracts shall set forth this requirement.

(g) City remedies. In the event the City determines that any contractor or subcontractor has failed to comply with the provisions of this chapter, it shall have available all legal remedies.

(1.) Options. Such remedies shall include, but not be limited to, all remedies available at law or in equity and all such remedies included in the specifications or contract, which may provide for:

- (i) Suspending or terminating the contract;
- (ii) Completing the contract and requiring the contractor or subcontractor to pay all damages and costs in utilizing a substitute contractor or subcontractor;
- (iii) Debarring the contractor or subcontractor from eligibility for future City contracts;
- (iv) Requiring the refunding of payments made by the City to the contractor or subcontractor prior to the suspension or termination;

(v) Assessing a daily fine and other penalties payable to the City of Englewood. A schedule of fines and penalties necessary to enforce this chapter shall be recommended by the ECAI and enacted by ordinance of the City Council. The City shall withhold funds from any final payment due to covered contractors in an amount sufficient to cover unpaid fees or potential penalties for shortfalls regarding the apprenticeship requirements of this chapter. Such fines and penalties shall be not less than 3% nor more than 10% of the total price of the contract in question.

(2.) Notice and hearing. In the event the City has good cause to believe that any contractor or subcontractor has failed to comply with the provisions of this chapter, said contractor or subcontractor shall be given written notice and afforded an opportunity for a hearing before the City Council before the imposition of the sanctions set forth in this section.

(h) The City Manager shall regularly review and monitor the performance of the contractor with regard to the operation of the training program his compliance with the provisions hereof, and shall advise the City Council of any non-compliance with any requirement hereof, in the same manner described in section 3-20 above, and shall have the same rule-making power, with regard to the training program herein described, as is described in the said section 3-20.

3-23. Applicability to subcontracts..

The provisions of this article shall apply to each subcontract in a total amount of \$10,000 or more to the same extent as it applies to a prime contractor. Each prime contractor shall be responsible for compliance by his subcontractors with all applicable provisions hereof and the inclusion in any such subcontracts of provisions which bind the subcontractor to comply herewith.

3-24. Compliance with union contracts.

Nothing contained in this article shall preclude any contractor from complying with the hiring hall or apprenticeship provisions in any applicable collective bargaining agreement or hiring hall arrangement and, where required by custom or agreement, he shall send journeymen and trainees to the union for referral, or to the apprenticeship program for admission, pursuant to such agreement or arrangement; provided, however, that where the practices of a union or apprenticeship program still result in the exclusion of excluded persons or the failure to refer excluded group persons, so that the contractor will be unable to meet his obligations hereunder, the contractor shall consider for employment persons referred by the City Manager without regard to such agreement or arrangement. The contractor will notify the City Manager whenever he has reason to believe that a union with which

he has a hiring hall or referral arrangement, or an apprenticeship program, engages in such referral, membership, admission or other practices as will substantially impede the contractor in his efforts to meet his affirmative action obligations hereunder provided, however, that no action, inaction, or refusal of cooperation by a union shall excuse any contractor from complying with his obligations under this article.

3-25. Enforcement of program.

All contractors and subcontractors to whom this article applies shall, by virtue of any contract entered into between the City and the contractor, be deemed to agree that the City shall be a third party beneficiary with respect to the affirmative action provisions of all contracts relating to this project, and that as third party beneficiary, the City may take such legal action to enforce the provisions referred to as it may deem necessary, without the approval or consent of any other contractors or subcontractors.

3-26. Violations; remedial action.

(a) In the event that a contractor shall fail to comply with his excluded persons employment and contractor opportunities or on the job training obligations hereunder then, unless he is able to demonstrate to the City Manager that such compliance is not possible, the City Manager shall serve upon him a written notice of such violation and, in the event that he shall not cease such violation within 7 days after his receipt thereof, he shall be deemed to have defaulted in performance of an essential provision of his contract.

(b) In the event of such default, the City may:

- (1) institute suit or commence a proceeding in arbitration against the party in default. or if such party is a subcontractor, direct the contractor to do so; or
- (2) take all other actions available at law or equity for the breach of a material condition of a contract including termination of such contract.

SECTION 3. Severability. 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. Inconsistency. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency. Ordinance 92-30 is hereby repealed and is replaced by the within ordinance.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon passage and publication as required by law.

**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 of 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.

REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

Chapter 6

Existing Version

6-22 Penalty. (84-23)

Any person who violates, or who fails or refuses to comply with any provision of this chapter shall be liable to a fine of not more than \$500, and subject to imprisonment for a period not to exceed 90 days, except that for violations of Sections 6-2, 6-5, 6-11, and 6-21, the penalty shall be a fine of not less than \$5 nor more than \$50, except that for first offense violations of Sections 6-2 and 6-5, the penalty shall be a fine of not less than \$1 and not more than \$50, and further, except that for violations of Section 6-9 there shall be a fine of not less than \$100.

Newly Proposed Version

6-22 Penalty. (84-23)

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.

**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

RESOLUTION #162-08-10-10

**AUTHORIZE ISSUE OF DUPLICATE TAX SALE CERTIFICATE**

**WHEREAS**, the Tax Collector of the City of Englewood has previously issued a tax sale certificate to ABT-TEC or its designee, which certificate is dated October 29, 2009 covering premises commonly known and referred to as Lot 7 in Block 2007 as set out on the municipal tax map then in use which certificate bears Number 09-21; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the Tax Collector of the City of Englewood be and is hereby authorized, having received the appropriately executed and notarized Affidavit of Loss, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Affidavit of Loss be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

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 #163-08-10-10

**AUTHORIZE SOUTHEAST SENIOR CENTER FOR INDEPENDENT LIVING  
APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$219,376 has been proposed by Southeast Senior Center for Independent Living for Operating Expenses in the City of Englewood; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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 #164-08-10-10

**AUTHORIZE CENTER FOR FOOD ACTION**  
**APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$50,000 has been proposed by Center for Food Action for operation of seven (7) food pantries in the City of Englewood and six other Bergen County towns; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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 #165-08-10-10

**AUTHORIZE CENTER FOR FOOD ACTION**  
**APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$80,000 has been proposed by Center for Food Action for Security deposits in the City of Englewood and six other Bergen County towns; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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 #166-08-10-10

MODIFICATIONS OF LOCAL IMPROVEMENT BOARD MEMBERS

WHEREAS, the City Council of the City of Englewood has heretofore created and established within the City of Englewood a Local Improvement Board for the purpose of evaluating and assessing the benefits conferred on any real estate by the construction of an access road to Route 4 pursuant to Ordinance No. 05-19; and

WHEREAS, Ordinance No. 05-19 has recently been amended by Ordinance No. 10-13 which reduced the membership of the Local Improvement Board from seven members to five members;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the following persons are hereby removed from the Local Improvement Board to complete the required membership for as long as needed to fulfill the requirements of Ordinance No. 10-13:

Michael Erber 92 Booth Avenue, Englewood, NJ 07631

Bryant Austin- Wingood 395 Marlboro Road, Englewood, NJ 07631

Jean Lakreisha 200 W. Ivy Lane, Englewood, NJ 07631

Willie Ealey 381 Murray Avenue, Englewood, NJ 07631

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 #167-08-10-10

APPOINTMENTS TO LOCAL IMPROVEMENT BOARD

**WHEREAS**, the City Council of the City of Englewood has heretofore created and established within the City of Englewood a Local Improvement Board for the purpose of evaluating and assessing the benefits conferred on any real estate by the construction of an access road to Route 4 pursuant to Ordinance No. 05-19; and

**WHEREAS**, Ordinance No. 05-19 has recently been amended by Ordinance No. 10-13 which reduced the membership of the Local Improvement Board from seven members to five members, with members appointed by the City Council;

**WHEREAS**, due to the resignation of one of the members of the Local Improvement Board a vacancy now exists, which the City Council needs to fill;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the following persons are hereby appointed to the Local Improvement Board to complete the required membership for as long as needed to fulfill the requirements of Ordinance No. 10-13:

Michael John Mellor, 109 Grand Avenue #5D Englewood, NJ 07631

Devry B. Pazant, 23 Tributary Plaza Englewood, NJ 07631

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 # 168-08-10-10

**Override Veto of Ordinance No. 10-15**

**WHEREAS**, the City Council on July 20, 2010, adopted Ordinance #10-15, entitled "An Ordinance Amending and Supplementing Chapter 19 of the Revised General Ordinances of the City of Englewood, As previously Amended by Ordinance #09-15"; and

**WHEREAS**, on August 4, 2010, the Mayor exercised his authority, pursuant to the City Charter, to veto said ordinance; and

**WHEREAS**, the City Charter permits the City Council to override a Mayoral veto by a vote of two-thirds of the full membership of the Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, County of Bergen, that it hereby overrides the Mayor's veto of Ordinance #10-15.

**BE IT FURTHER RESOLVED** that Ordinance #10-15 is hereby duly adopted and shall have full force and effect following publication according to law.

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