

City of Englewood
City Council Meeting
Minutes

March 16, 2010

A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held this evening in the Municipal Court in the Public Safety Building commencing at 7:30 P.M.

Roll Call: Present: Council President Scott Reddin
Council member Lynne Algrant
Council member Ken Rosenzweig
Council member Jack Drakeford
Mayor Frank Huttie III
City Manager Daniel Fitzpatrick
City Solicitor William Bailey
City Clerk Lauren Vande Vaarst

Absent Council member Charlotte Bennett Schoen

President Reddin called the meeting to order.

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

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

Executive Session (Committee of the Whole):

1. PSE&G
2. Review of City Fees
3. Budget Workshop Dates
4. Bergen County Community Development Grants – Roselyn Anderson, Housing Authority
5. Discussion of Snow Removal Plan
6. Agenda Review

Resolution #064-03-16-10

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

COUNCIL MEETING
March 2, 2010

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

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 \$1,183,632.42.

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

Communications from the Mayor/Council members:

Ordinances – First Reading:

ORDINANCE #10-04 (Tabled to a Future Meeting)

PROPOSED RMI ZONE

ORDINANCE #10-05

AN ORDINANCE AUTHORIZING SALE OF LAND WITHOUT PUBLIC AUCTION

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig	X	Y
Bennett Schoen		AB
Drakeford		N
Reddin		Y

ORDINANCE #10-06

AN ORDINANCE AUTHORIZING THE LEASE OF THE JOHN T. WRIGHT ARENA LOCATED IN MACKAY PARK IN THE CITY OF ENGLEWOOD

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig	X	Y
Bennett Schoen		AB
Drakeford		N
Reddin		Y

Public Comment on Agenda Items:

- Curtis Caviness 41 E. Forest Avenue
- Jeanne Hopwell 380 Liberty Road
- Joseph Clark 200 John Street

RESERVE BUDGET TRANSFERS-2009

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward at the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the previous fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

WHEREAS, there is a need for budget transfers due to unforeseen circumstances and the need to provide funds to cover imminent obligations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the Chief Financial Officer is hereby authorized to make transfers from Current Fund Budget Accounts for the year 2009 where a deficit would possibly occur on or before March 31, 2010 pursuant to and in accordance with provisions N.J.S.A. 40A:4-59, and according to the schedule attached hereto.

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

AUTHORIZING AWARD OF CONTRACT FOR HVAC SERVICES

WHEREAS, sealed bids were received on February 17, 2010 for Heating and Air Conditioning Maintenance Service for the years 2010 and 2011 in accordance with specifications therefore and following public advertisement; and

WHEREAS, three bids were submitted and the bid of Pow-R-Save, Inc., 27 West Street, Bloomfield, New Jersey, 07003 was the lowest responsible bid in the amount of \$31,113.00 for 2010 and \$32,421.00 for 2011 and is in compliance with the specifications and based upon the recommendation of the Director of Public Works and the Purchasing Agent, can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Pow-R-Save, Inc. in the amount of \$31,113.00 for 2010 and \$32,421.00 for 2011 is hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Pow-R-Save, Inc. for Heating and Air Conditioning Maintenance Service in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

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

AUTHORIZING AWARD OF CONTRACT FOR ELECTRICAL SERVICES

WHEREAS, sealed bids were received on February 17, 2010 for Electrical Services in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids received were as follows:

<u>Company</u>	<u>4/10-3/11</u>	<u>4/11-3/12</u>
East West Electrical Contractors	\$130.00	\$130.00
Tatbit	\$102.00	\$106.00
Sal Electric	\$130.60	\$132.86
Vanore	\$101.18	\$101.18

WHEREAS, the bid submitted by Vanore is in compliance with the specifications and based upon the recommendation of the Purchasing Agent, can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Vanore is hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Vanore for Electrical Services in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

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

Resolution #069-03-16-10

AUTHORIZING AWARD OF CONTRACT FOR CLEANING SERVICES

WHEREAS, sealed bids were received on February 17, 2010, for Cleaning Services to the Public Safety Complex and Department of Public Works for the period of May 2010 through April 2012, in accordance with specifications therefore and following public advertisement; and

WHEREAS, bids were received as follows:

<u>Company</u>	<u>May 2010 – April 2011</u>	<u>May 2011- April 2012</u>
Oriental Pacific Maintenance	\$ 33,360.00	\$ 33,600.00
Allied Cleaning	\$ 97,500.00	\$102,450.00
Maverick Cleaning	\$ 26,400.00	\$ 26,400.00
Pritchard Industries	\$ 55,740.00	\$ 55,740.00

WHEREAS, the bid submitted by Maverick Cleaning is in compliance with the specifications and based upon the recommendation of the Purchasing Agent can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Maverick Cleaning in the amount of \$52,800.00 for two years, based on five days per week service for May 2010 through April 2012 be accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and XXXX for cleaning services at the Public Safety Complex and Department of Public Works in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

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

Resolution #070-03-16-10

AUTHORIZING AWARD OF CONTRACT FOR PLUMBING SERVICES

WHEREAS, sealed bids were received on February 17, 2010 for Plumbing Services for the period June 2010 through May 2012, in accordance with specifications therefore and following public advertisement; and

WHEREAS, bids were received from the following vendors:

<u>Company</u>	<u>6/10-5/11</u>	<u>6/11-5/12</u>
Binsky & Snyder Services, LLC	\$169.50	\$170.50
281 Centennial Ave, Picataway, NJ 08854		

Magic Touch Construction Co., Inc.	\$145.90	\$149.90
59 W. Front St., Keyport, NJ 07735		

WHEREAS, the low bid submitted by Magic Touch is in compliance with the specifications and based upon the recommendation of the Purchasing Agent can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Magic Touch Construction, Co. Inc. in the amounts stated above per hour (Plumber + Helper) for a two year contract be accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Magic Touch Construction Co., Inc. for Plumbing Services in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

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

Resolution #071-03-16-10

APPOINT BOND COUNSEL

WHEREAS, the City of Englewood requires the services of professional bond counsel for the 2010 operating year; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Gluck Walrath LLP with offices at 428 Riverview Plaza, Trenton, New Jersey 08611, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2010 operating year; and

WHEREAS, the firm has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Gluck Walrath LLP to provide professional bond counsel services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Gluck Walrath LLP for a period of one year beginning January 1, 2010 and ending December 31, 2010.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Press Journal newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

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

Resolution #072-03-16-10

APPOINT REAL ESTATE APPRAISER

WHEREAS, the City of Englewood requires the services of professional real estate appraisal services for tax appeals and related matters during the 2010 operating year; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to McNerney & Associates with offices at 266 Harristown Road, Glen Rock, New Jersey 07452, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2010 operating year; and

WHEREAS, the firm has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to McNerney & Associates to provide professional real estate appraisal services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and McNerney & Associates for a period of one year beginning January 1, 2010 and ending December 31, 2010.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Press Journal newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

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

Resolution #073-03-16-10

APPOINT CITY SOLICITOR

WHEREAS, the City of Englewood requires professional legal services for the 2010 operating year; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to William J. Bailey, Esquire of Huntington Bailey with offices at 312 Kinderkamack Road, Westwood, New Jersey 07675, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2010 operating year; and

WHEREAS, William J. Bailey, Esquire has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to William J. Bailey, Esquire to provide professional legal services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and William J. Bailey, Esquire for a period of one year beginning January 1, 2010 and ending December 31, 2010.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Press Journal newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

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

RESOLUTION #074-03-16-10

APPOINT LABOR COUNSEL

WHEREAS, the City of Englewood requires professional labor counsel services for the 2010 operating year;

and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Mark Ruderman, Esquire of Ruderman Glickman with offices at 675 Morris Avenue, Springfield, New Jersey 07081, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2010 operating year: and

WHEREAS, Mark Ruderman, Esquire has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Mark Ruderman, Esquire to provide professional labor counsel services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Mark Ruderman, Esquire for a period of one year beginning January 1, 2010 and ending December 31, 2010.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Press Journal newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

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

Resolution #075-03-16-10

APPOINT MUNICIPAL AUDITOR

WHEREAS, the City of Englewood requires professional municipal auditor for the 2010 operating year; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Lerch, Vinci & Higgins, LLP with offices at, 17-17 Route 208, Fair Lawn, New Jersey 07410, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2010 operating year: and

WHEREAS, the firm has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Lerch, Vinci & Higgins, LLP to provide professional municipal auditing and any other required financial advisory services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Lerch, Vinci & Higgins, LLP to perform the FY 2010 municipal audit and related services.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Entity Disclosure Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Press Journal newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

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

Resolution #077-03-16-10

**Confirm Endorsement of Bergen County Community Development Grant
for The Housing Authority of Englewood**

WHEREAS, a Bergen County Community Development grant of \$267,449.00 has been proposed by the City Council of the City of Englewood for The Housing Authority of the City of Englewood in the municipality of Englewood, NJ; and

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

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD 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 shall 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>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>					X
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

Resolution #078-03-16-10

**Confirm Endorsement of Bergen County Community Development Grant
for The Housing Authority of Englewood**

WHEREAS, a Bergen County Community Development grant of \$80,000.00 has been proposed by the City Council of the City of Englewood for The Housing Authority of the City of Englewood in the municipality of Englewood, NJ; and

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

WHEREAS, the aforesaid project is in the best interest of the people of the City of Englewood; and
WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD 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 shall 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>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>					X
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

Public Session:

- Alva Jones 87 Dubois Court
- Curtis Caviness 41 E. Forest Avenue
- Charles Cobb 113 Marilyn Court
- Ralph Sertima 107 Marilyn Court
- Joseph Clark 200 John Street
- Carla Burke 20 Grant Street
- Jeanne Hopwell 380 Liberty Road

Resolution #076-03-16-10

PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Litigation – Englewood Terrace v. Englewood

Contract Negotiation – Town Center Parking Agreement

Which subject matter is permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- () Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.
- () Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that, although it is not envisioned that the Council will return to open session after this meeting, the Council reserves the right to do so upon conclusion of the closed session.

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

Council went into Closed Session at 10:30PM and returned to Open Session at 10:55PM

ADJOURN: 10:56PM

Motion: Reddin

All in Favor

Lauren Vande Vaarst, RMC
City Clerk