

City of Englewood
City Council Meeting Minutes
August 24, 2010

A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held 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 Charlotte Bennett Schoen
Council member Jack Drakeford
Mayor Frank Huttle III
City Manager Daniel Fitzpatrick
City Solicitor William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Ken Rosenzweig

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.

President Reddin then expressed condolences to the following members of the Englewood community on their recent losses:

Judge James Dow on the passing of his brother
Linda Baer on the passing of her son
Doug Bern on the passing of his mother

Executive Session (Committee of the Whole):

1. Naming an Alternate Municipal Prosecutor as requested by the Office of the Bergen County Prosecutor
2. Snow Removal (Clyde Sweatt)
 - a. Gave an overview of the timeline of this past winter's storms, snow removal report(s) and proposed ordinance(s) regarding snow removal.
 - b. Presented to the Mayor and Council a revised 2010 Capital Equipment request list from the DPW, which was approximately \$500,000 less than previous request.
 - c. Handed out and reviewed the Bid Specifications seeking private contractors to assist with snow removal.
 - d. Explained that the DPW is in the situation it currently finds itself equipment wise to do equipment not being replaced and/or maintained in the past.
 - e. Is requesting an Ordinance for Introduction/First Reading of the revised 2010 Capital Equipment list be placed on the next Council Meeting Agenda.
 - f. Comments from the Mayor and Council then followed.
3. James Street Municipal Parking Lot
4. Englewood Housing Authority Tree Removal Request (Roz Anderson)
 - a. Westmoor Gardens Inc. is a not for profit corporation and is seeking to refinance their mortgage.
 - b. As a condition of the refinance they must remove eleven (11) trees which are too close to the buildings, but that number exceeds the 3 tree maximum of the City Ordinance.
 - c. Council President asked Bill Bailey if the Council can legally grant the waiver and Bill said he will look into it.
 - d. Comments from the Mayor and Council then followed.

- 5. Agenda Review
- 6. Closed Session

RESOLUTION #170-08-24-10

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
August 10, 2010
(Amended as per the Mayor's requested)

CLOSED SESSION
August 10, 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			

RESOLUTION #171-08-24-10

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 \$817,610.25.

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			

Communications from the Mayor/Council members:

Ordinances – Second Reading/Public Hearing:

The following ordinances were approved on first reading at the Regular meeting of the Mayor and Council held on August 10, 2010, and published in the August 12, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

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.

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

DATE PUBLISHED IN THE PRESS JOURNAL: AUGUST 12, 2010

DATE PUBLIC HEARING HELD: AUGUST 24, 2010

DATE SECOND READING HELD: AUGUST 24, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y	X	Y
Rosenzweig		AB		AB		AB
Bennett Schoen		Y		Y		Y
Drakeford		Y		Y		Y
Reddin	X	Y	X	Y		Y

Public Hearing on Ordinance 10-23:

- Norman Gorlyn 150 Madison Avenue – Can a statement be added to the Ordinance saying that the affected taxpayers were polled on whether they wanted the change in the meters or not? Mr. Bailey commented that they cannot add it to this Ordinance as it will then have to be reintroduced and advertised but can include in future Ordinance(s).
- Sandy Greenberg 449 Liberty Road – Were businesses questioned as to where their workers park, and if they will abuse the new 2 hour meters?

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.

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

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COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Rosenzweig		AB		AB		AB
Bennett Schoen		Y		Y	X	Y
Drakeford		Y		Y		N
Reddin	X	Y	X	Y		Y

Public Hearing on Ordinance 10-24:

- Sandy Greenberg 449 Liberty Road – Asked about maintenance of other brooks in the City and what has been done about them.
- Norman Gorlyn 150 Madison Avenue – Why exactly is the pond being dredged and when was it last done?
- Sue Gamrin 405 Murray Avenue – spoke about the need to clean-up Miller’s Pond. Asked why Quarry Pond takes precedence over the brook that feeds into Miller’s Pond?

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 reapportioned 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.

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

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DATE SECOND READING HELD: AUGUST 24, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Rosenzweig		AB		AB		AB
Bennett Schoen		Y		Y	X	Y
Drakeford		Y		Y		N
Reddin	X	Y	X	Y		Y

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.

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

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COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y	X	Y
Rosenzweig		AB		AB		AB
Bennett Schoen		Y		Y		Y
Drakeford		Y		Y		N
Reddin	X	Y	X	Y		Y

Public Hearing on Ordinance 10-26:

- Norman Gorlyn 150 Madison Avenue – feels that the amount of the Tax Reassessment is outrageous and feels that it can be done for a more reasonable sum (\$20,000 to \$30,000).
- Dorothy Carlos 262 Garden Street – asked if her property values go down will her taxes be reduced.
- Curtis Caviness 41 E. Forest Avenue – spoke about Mrs. Carlos comment. We are paying the \$250,000 to have a company determine the multiplier. His concern is whether the multiplier has already been decided and if it will be a truly independent process.
- Helen Kiphaut 99 Charles Street – what is the timeframe for the reassessment and when will it begin? Also asked if commercial entities that are getting a free ride be fully taxed after the reassessment.
- Leonardo Acosta 81 Charles Street – supports what Mrs. Kiphaut says, and feels that because of the current state of the economy that we should not be spending money unnecessarily.
- Helen Kiphaut 99 Charles Street – how many tax appeals are there and what is the total amount the City owes?
- Sandy Greenberg 449 Liberty Road – asked for clarification as to how the reassessment affects an appeal.

Please note: Ordinance #10-26 was not adopted by the City Council of the City of Englewood because four (4) affirmative votes were needed for adoption.

Public Comment on Agenda Items:

- Dorothy Carlos 262 Garden Street – does not feel that the Council listens to the public.
- Cornelia Rogers 141 Humphrey Street – asked a question regarding Resolution # 176-08-24-10, and where will the home be located that they are looking to purchase.
- Curtis Caviness 41 E. Forest Avenue – spoke about the Master Plan and that areas for these types of homes were identified in that document specifically in the 4th Ward. Spoke about process and feels that the City needs to be more thorough and actually follow a process.

- Jeanne Hopewell 380 Liberty Road – discussed grants in the agenda that being applied for to do work on roads throughout the City. Work on Liberty Road was started in 2008 and is still incomplete.

RESOLUTION #172-08-24-10

AUTHORIZATION TO ENTER INTO A GRANT AGREEMENT WITH BERGEN COUNTY FOR COMMUNITY DEVELOPMENT FUNDS FOR STREET IMPROVEMENTS ON DECATUR AVENUE, HIRLIMAN ROAD AND THIRD STREET

WHEREAS, the City Council of the City of Englewood wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$183,336 in Community Development funds for Street Improvements (Decatur Avenue, Hirliman Road, Third Street) in the City of Englewood;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood authorizes the City Manager to be a signatory to the aforesaid project; and

BE IT FURTHER RESOLVED that the City Council recognized that the city of Englewood is liable for any funds not spent in accordance with the Grant Agreement and that such liability is in accordance with HUD requirements.

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

RESOLUTION #173-08-24-10

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE WALNUT STREET RECONSTRUCTION PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Englewood formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the City Manager and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-00672 to the New Jersey Department of Transportation on behalf of City of Englewood.

BE IT FURTHER RESOLVED that City Manager and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Englewood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION #174-08-24-10

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE JOHNSON AVENUE RECONSTRUCTION PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Englewood formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the City Manager and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011 - 00674 to the New Jersey Department of Transportation on behalf of City of Englewood.

BE IT FURTHER RESOLVED that the City Manager and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Englewood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #175-08-24-10

**RESOLUTION TO RECONSTRUCT KNICKERBOCKER ROAD
THROUGH A SHARED SERVICES AGREEMENT WITH BERGEN COUNTY**

WHEREAS, the City of Englewood will undertake the reconstruction of Knickerbocker Road which is a County road; and

WHEREAS, an agreement is necessary to delineate the responsibilities of the County and the City of Englewood for the reconstruction of Knickerbocker Road;

NOW, THEREFORE, BE IT RESOLVED, that the City Manager be and is hereby authorized to enter into an agreement with the City of Englewood with the following conditions:

RESPONSIBILITIES:

A. COUNTY OF BE BERGEN: The County of Bergen is solely responsible for the performance and cost of the following:

1. Review and approve preliminary and final plans and specifications prepared by the City of Englewood prior to the City advertising for public bids,
2. Provide \$400,000 in funding for the City of Englewood to use towards construction costs within the Knickerbocker Road roadway. County funding can be used for qualified construction items within the roadway such as:

excavation, milling, grading, sub-base, stabilized base, surface Course, drainage structures, striping and other items approved by the County Engineer.

B. MUNICIPALITY: The Municipality is solely responsible for the performance and cost of the following:

1. Perform all necessary survey and field work which shall be submitted to the County Engineer for review and approval prior to its use for preliminary road designs, drawings and specifications.
2. Prepare final design plans and specifications based on the field survey and the County's preliminary design plans. Documents shall be of a quality suitable for public bidding.
3. Reproduce the final design drawings and specifications, advertise for bids, award contracts, provide construction observation, and make payment to the contractor all in an approved manner.
4. Undertake the reconstruction of Knickerbocker Road in accordance with the design plan.
5. Place all intersection related traffic signs and pavement markings, including parking regulatory signs on the County and the City road approaches to the intersection,
6. Acquire, any necessary property, slope rights, temporary and permanent construction easements, if required, and rights-of-entry and convey same to the County-
7. Be responsible for restoration, modification, alteration or relocation of any appurtenances located within the proposed easements or rights-of-way, including but not limited to landscaping, trees, planters, walls, signs, building structures, awnings, underground storage tanks, monitoring wells, parking lots, etc.
8. If any structure within and/or adjacent to the proposed right-of-way is not currently in compliance with the High Voltage Proximity Act or would not be in compliance with the High Voltage Proximity Act as measured from the existing and/or proposed, overhead utility line location, the structures shall be relocated so that they will be in compliance with the High Voltage Proximity Act (NJSA 34:6-47.1(b) "High-voltage lines" and NJSA 34:6-4.2- (Prohibited Activity).
9. Provide uniformed ' police officers, at the City's sole expense, for the maintenance and protection of traffic when the Chief of Police deems their presence necessary, either during construction or continued maintenance by the County or the County's contractors.
10. Provide the County "as built" drawings of the improvements as well as the original survey information.
11. Be responsible for street lighting.
12. Adopt by ordinance the traffic regulations which apply to any change resulting from the reconstruction.

13. The American with Disabilities Act Accessibility Guidelines (ADAAG) require public sidewalk curb ramps with truncated domes at curb ramp locations on resurfaced and/or new roads, The City agrees to require property owners to maintain the ramps and truncated domes as part of the property owner's sidewalk maintenance obligations. In the event that the ramps and truncated domes are on County or City property then, in that event, the City agrees to maintain them.

BE IT FURTHER RESOLVED, that upon approval of this resolution, the City Manager is submit this resolution to the County and will execute the necessary shared service agreement with Bergen County.

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

RESOLUTION #176-08-24-10

AUTHORIZE VANTAGE HEALTH SYSTEM, INC.
APPLICATION FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT HOME PROGRAM GRANT FUNDS

WHEREAS, a Bergen County Community Development grant of up to \$510,000 has been proposed by Vantage Health System, Inc. for the purposes of providing affordable housing by purchasing a one or two family home for use by up to five disabled individuals in the City 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 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>			X		
<i>Rosenzweig</i>					X
<i>Bennett Schoen</i>	X	X			
<i>Drakeford</i>			X		
<i>Reddin</i>		X			
<i>Huttie</i>			X		

RESOLUTION #177-08-24-10

AUTHORIZE ENGLEWOOD HEALTH DEPARTMENT
APPLICATION FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT GRANT FUNDS

WHEREAS, a Bergen County Community Development grant of \$20,000 has been proposed by the Englewood for the Adolescent Nutrition Education and Health Services Program 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>		X			
<i>Rosenzweig</i>					X
<i>Bennett Schoen</i>	X	X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

Public Session:

- Curtis Caviness 41 E. Forest Avenue – asked if certain items on the Bills and Claims list were refunds from settled tax appeals.
- Michelle Smith 10 Mevan Avenue – asked why rebate for Tributary Woods Homeowners Association was not on the agenda, and what else does the City need from them.
- David Rodriguez 110 Davison Place – discussed the Preiss report regarding Liberty School, and that the consultant said that the BergenPAC was unresponsive and did not provide information regarding their proposal for an Arts Academy. When in actuality it was the consultant that did not reach out to BergenPAC for the information. Mr. Rodriguez was however pleased that the BergenPAC's proposal is seen by the consultant as a viable use for the Liberty School.
- Burt Ross 106 E. Linden Avenue – wants a lectern or podium for the public at the Council meetings and about that maintenance is needed in the Men's room in the Court. Also spoke about a burnt out house located at the intersection of Mary St. and Forest Ave. and do we have an Ordinance that requires it be torn down. He also pointed out a tree and sidewalk on Grand Avenue that were uprooted in one of the winter storms and asked when they would be repaired. There is also a dead City tree in front of his home that needs to be taken down. The epidemic of deer overpopulation in the City and a survey that was conducted by the Health department which determined that the herd did not need to be culled. Asked about the process if a person who brings a problem to the attention of the City ever gets a status report about it.
- Sue Gamrin 405 Murray Avenue – during the snow storms this winter the City Manager refused to speak with some citizens, which forced her to contact Councilwoman Bennett Schoen who followed up Department Heads and then got back to Mrs. Gamrin. Inquired as to what is the process for handling problems in the City, and how is the Council advised.
- Norman Gorlyn 150 Madison Avenue – spoke about the basis of retirement bill that the City gets from Trenton is a percentage of the payroll. A different base is used for Police as compared to other employees.

RESOLUTION #178-08-24-10

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:

Personnel & Litigation

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.
- (X) 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 10:40PM and returned to Open Session at 11:24PM

ADJOURN: 11:25PM

Motion: Lynne Algrant

All in Favor

Lauren Vande Vaarst, RMC
City Clerk