

CITY COUNCIL MEETING AGENDA

MAY 3, 2011 - 7:30 P.M.

- A. CALL MEETING TO ORDER
- B. STATEMENT REGARDING OPEN PUBLIC MEETINGS ACT
- C. PLEDGE OF ALLEGIANCE
- D. RESOLUTION #098-05-03-11 Approve Minutes of Meetings
- E. CLOSED SESSION
- F. RESOLUTION #099-05-03-11 Approve Bills and Claims
- G. COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS
- H. ORDINANCES - SECOND READING/PUBLIC HEARING:

The following ordinances were approved on first reading at the Regular meeting of the Mayor and Council held on April 12, 2011 and published in the April 14, 2011 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

ORDINANCE #11-02

AN ORDINANCE REQUIRING A DEBT MANAGEMENT PLAN FOR THE CITY OF ENGLEWOOD

ORDINANCE #11-03

AN ORDINANCE AMENDING SCHEDULES XI OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG SOUTH DEAN STREET

ORDINANCE #11-04

AN ORDINANCE AMENDING THE SCHEDULE XII OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG CERTAIN STREETS WITHIN THE CITY OF ENGLEWOOD

ORDINANCE #11-05

AN ORDINANCE APPROPRIATING \$40,000 FROM CAPITAL FUND SURPLUS OF THE CITY OF ENGLEWOOD FOR THE CONTRACTING OF LICENSED PROFESSIONALS TO COMPLETE THE NJDEP REPORTING REQUIREMENTS AND OTHER RELATED COSTS FOR THE CLOSEOUT OF THE MILLER'S POND DREDGING PROJECT

- I. PUBLIC COMMENT ON AGENDA ITEMS
- J. RESOLUTIONS
Motion to Adopt Resolutions by Unanimous Consent

#100- 05-03-11 Appointments to Board of Health
#101- 05-03-11 Appointment of Professional Risk Manager
#102- 05-03-11 Authorizing Award of Contract for Recreation Bus Services
#103- 05-03-11 Place to Place and Person to Person Transfer of Plenary Retail Distribution License

- K. APPOINTMENT OF CITY MANAGER
- L. AMENDMENTS TO 2011 BUDGET
- M. ADOPTION OF THE 2011 BUDGET
- N. 2011 TEMPORARY EMERGENCY APPROPRIATIONS
- O. PUBLIC SESSION
- P. ADJOURN

CITY OF ENGLEWOOD

RESOLUTION #098-05-03-11

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING

April 12, 2011

WORKSHOP MEETING

April 27, 2011

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</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 #099-05-03-11

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 \$1,574,747.78.

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</i> | | | | | |

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

CITY OF ENGLEWOOD

ORDINANCE #11-02

**AN ORDINANCE REQUIRING A DEBT MANAGEMENT PLAN FOR
THE CITY OF ENGLEWOOD**

WHEREAS, the City of Englewood currently has outstanding debt; and

WHEREAS, it is the goal and desire of the Governing Body of the City of Englewood to reduce debt service obligations where possible and develop a five (5) year debt management plan; and

WHEREAS, such plan would include a five (5) year projection of the City's operating budget as well as a five (5) year capital improvement plan in conjunction with the corresponding debt management plan; and

WHEREAS, the Governing Body deems it fiscally prudent to reduce debt where possible and initiate steps to limit long term debt applications in an effort to ease the burden on the City's taxpayers; and

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

1. As part of the annual budget process, the City Manager will produce a projection of the City's operating budget for the current year as well as the next four (4) years (a total of five (5) years);
2. As part of the annual budget process, the City Manager will perform an analysis and projection of a capital improvement plan with a corresponding debt management plan for the current year as well as the following four (4) years;
3. Where possible, the City will accelerate principal payments on authorized debt with the goal of paying down the principal amount on all authorized debt, at a rate of not less than five percent (5%) per annum of the then authorized principal balance as reported on the most recent Annual Debt Statement. Such 5% payment shall be inclusive of all minimum payments otherwise required by law. The City Manager shall provide an estimate of the interest savings to the City if such 5% payment is made versus the minimum payments required by law. If the City Manager, after completion of the debt management plan recommends against the accelerated principal payment for any budget year, such reasons shall be communicated in writing to the Governing Body.
4. The City Manager will prepare the debt management plan in accordance with policy objectives articulated by the Governing Body.
5. All Ordinances are part thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

CITY OF ENGLEWOOD

ORDINANCE #11-03

**AN ORDINANCE AMENDING SCHEDULES XI OF CHAPTER 25 OF THE REVISED
GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING
ALONG SOUTH DEAN STREET**

WHEREAS, the City Council desires to change the current 2-hour parking zone to permit an Ambulance Only and Patient Drop-off parking zone along a portion of South Dean Street in order to comply with the State requirements for medical buildings;

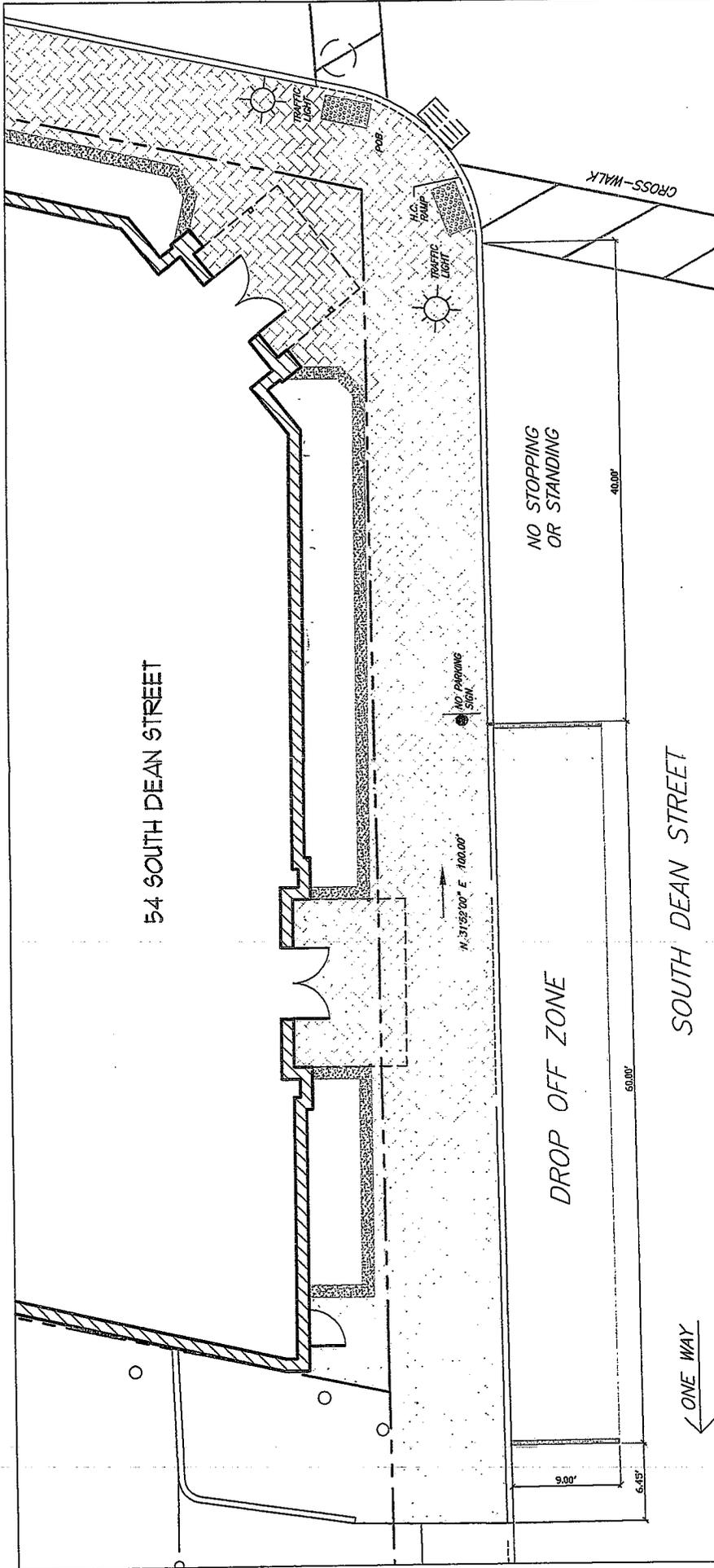
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, as follows:

Section 1. Schedule XI of Section 25-19 of Chapter 25 of the Revised General Ordinances of the City of Englewood, relating to Parking Prohibited at All Times on Certain Streets, is hereby amended to add thereto the following:

| Street | Side | Location |
|-------------------|------|---|
| South Dean Street | West | Parking will be limited to Ambulance only and patient drop-off parking from a point 40 feet south of the southwest corner of Englewood Avenue to a point 60 feet south thereof. |

All Ordinances or any part thereof inconsistent herewith are repealed to the extent of any such inconsistency.

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



Steven S. Legrand

Steve M. Stone, A.L.A.
 Steven B. Luzzo, A.L.A.
 NY C10807
 NY A0105590
 NY 025949

Steven B. Luzzo, A.L.A.
 NY 021232
 CT 8999
 NC 3017
 MD 10946
 PA RA.014903B
 VA 00005125
 NA 10698
 TX 17499

16 Highland Avenue, Englewood, NJ 07631
201.816.1818 Fax 201.816.0212

DRAWING TITLE: PROPOSED DROP-OFF ZONE

SCALE: 1/8" = 1'-0" @ 11X17

DATE: OCTOBER 12, 2010

PROJECT NO.: 09-086

DRAWING NO.: SK-101

PROJECT: SOUTH DEAN DOCTOR'S OFFICES
54 SOUTH DEAN STREET
ENGLEWOOD, NJ, 07631

CLIENT: MR. OTHON MOURKAKOS
160 MONTAGUE STREET REALTY, LLC
203 WEST 96TH ST.
NYC, NY 10025-6331

CITY OF ENGLEWOOD

ORDINANCE #11-04

AN ORDINANCE AMENDING THE SCHEDULE XII OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG CERTAIN STREETS WITHIN THE CITY OF ENGLEWOOD

WHEREAS, the City Council desires to change the current parking requirements along the Streets listed in Exhibit A annexed hereto in order to prohibit parking on said streets from 10:00 a.m. to 11:00 a.m. (except weekends and holidays); and

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

1. Section 1 Schedule XII of Section 25 – 20 relating to parking prohibited during certain hours on certain streets is hereby amended as follows:

No parking shall be permitted from 10:00 a.m. to 11:00 a.m. (except weekends and holidays) on the Streets and locations annexed hereto as Exhibit A;

NOW, THEREFORE, BE IT FURTHER ORDAINED that consistent with the parking restrictions listed in Exhibit A, the no parking area on the north side of Franklin Street as set forth in Schedule X of Chapter 25 (and as adopted by Ordinance No. 02-02) is hereby rescinded as this Section is now included in the one hour prohibited parking Ordinance. The south side of Franklin Street shall remain no parking.

All Ordinances or a part thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

EXHIBIT A

49 Total Streets

First Ward (7)

No Parking from 10 a.m. to 11 a.m. (except weekends & Holidays)

| | | |
|--------------------|-------|---|
| Booth Ave. | South | From a point 190 feet east of the easterly curb line of Engle St, eastward to a point 700 feet east of the easterly curb line of Engle St. |
| Booth Ave. | North | From a point 298 feet east of the easterly curb line of Engle St., eastward to a point 700 feet east of the easterly curb line of Engle St. |
| Chestnut St. | North | Engle St. to King St. |
| Church St. | North | Engle St. to Winthrop Pl. |
| East Hamilton Ave. | North | Engle St. to King St. |
| Valley Pl. | Both | From Concord St to Hudson Ave |
| Winthrop Pl. | West | Entire Length |

Second Ward (21)

No Parking from 11 a.m. to 12 noon (except weekends & Holidays)

| | | |
|-------------------|-------|---|
| Allison Ct. | Both | Entire Length |
| Audubon Rd. | Both | From Madison Ave. south for entire length |
| Broad Ave. | East | Madison Ave. to Van Nostrand Ave. |
| Broad Ave. | West | Madison Ave. to Walton St. |
| Chester Pl. | East | Entire Length |
| Dwight Pl. | East | E. Palisade Ave. to Lyman Pl. |
| Franklin St. | North | Entire Length |
| Grant St. | Both | Entire Length |
| Knapp Pl. | Both | Entire Length |
| Lyman Pl. | South | Entire Length |
| Madison Ave. | Both | Entire Length |
| Mary St. | Both | Entire Length |
| Phelps Ave. | Both | Entire Length |
| Rockwood Pl. | Both | Broad Ave. to Grand Ave. |
| Sheffield Ave. | Both | From Grand Ave. to Broad Ave. |
| Starling Rd. | Both | From Madison Ave to a point 200 feet therof |
| Summit St. | West | From a point 500 feet south of E. Palisade Ave to a point 750 feet south of E. Palisade Ave |
| Tracey Pl. | North | Entire Length |
| Van Nostrand Ave. | Both | From Broad Ave to South Dean St |
| Van Nostrand Ave. | Both | From Jones Rd to the easterly terminus Thereof |
| Walton St. | Both | Entire Length |

Third Ward (9)**No Parking from 10 a.m. to 11 a.m. (except weekends & Holidays)**

| | | |
|--------------------|-------|---|
| Cross St. | Both | Entire Length |
| Grove St. | North | Entire Length |
| Levinsohn Pl. | Both | Entire Length |
| Morris Ave. | Both | Entire Length |
| Slocum Ave. | North | Erie-Lackawanna RR tracks to Pindle Ave |
| Slocum Ave. | South | Erie-Lackawanna RR tracks to West St |
| Waldo Pl. | West | From Demott St to West Demarest Ave |
| West Hamilton Ave. | South | From Waldo Pl. to Pindle Ave. |
| West Palisade Ave. | Both | From Tenafly Rd. to the Teaneck line |

Fourth Ward (12)**No Parking from 11 a.m. to 12 noon (except weekends & Holidays)**

| | | |
|----------------|-------|---|
| Brookway Ave. | East | Entire Length |
| Brookway Ave. | West | Entire Length |
| Cottage Pl. | West | A. Entire length |
| Genessee Ave. | Both | From Lafayette Pl. to a point 400 feet West |
| Howland Ave. | Both | From Mattlage Pl. to Orange St. |
| Mattlage Pl. | East | Entire Length |
| Park Ave. | Both | Entire Length |
| Reade St. | Both | Entire Length |
| Reade St. | East | From southerly curb of W. Englewood Ave. to a point 380 feet south of said curb |
| Shepard Ave. | North | Mattlage Pl. to Palisade Pl. |
| Shepard Ave. | South | Mattlage Pl to Orange St |
| Washington Pl. | Both | From Mattlage Pl. to Palisade Pl |

CITY OF ENGLEWOOD

ORDINANCE #11-05

AN ORDINANCE APPROPRIATING \$40,000 FROM CAPITAL FUND SURPLUS OF THE CITY OF ENGLEWOOD FOR THE CONTRACTING OF LICENSED PROFESSIONALS TO COMPLETE THE NJDEP REPORTING REQUIREMENTS AND OTHER RELATED COSTS FOR THE CLOSEOUT OF THE MILLER'S POND DREDGING PROJECT

WHEREAS, the City previously completed a dredging project of Miller's Pond, which is located on property owned by the Englewood Board of Education; and

WHEREAS, the City Engineer has been notified by the New Jersey Department of Environmental Protection ("NJDEP") that the City must engage a licensed site remediation professional to close out the project in accordance with NJDEP regulations

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

Section 1. There is hereby appropriated from Capital Fund Surplus of the City of Englewood the sum of \$40,000 to be used to contract with licensed professionals to complete the reporting requirements mandated by the NJ Department of Environmental Protection and other related costs for the closeout of the Miller's Pond dredging project performed by the City of Englewood.

Section 2. This ordinance shall take effect immediately upon final passage and publication as required by law.

CITY OF ENGLEWOOD

RESOLUTION #100-05-33-11

APPOINT BOARD OF HEALTH MEMBERS

BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointments are confirmed to the Board of Health for the following terms:

Bertha-Nora Acosta, 81 Charles Street, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

JoEllen Bostick, 122 Orange Street, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Stephanie Davis, 348 Ivy Lane, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</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 #101-05-03-11

APPOINTMENT OF PROFESSIONAL RISK MANAGER

WHEREAS, the City of Englewood is a member of the Garden State Municipal Joint Insurance Fund ("GSMJIF") which requires that each member municipality retain the services of a professional risk manager; 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 Brown & Brown Metro., Inc., Box 678, Florham Park, N.J. 07932, 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:11-1 et seq.) authorizes the execution of such professional services contracts without competitive bidding; and

WHEREAS, compensation under this contract shall be in the amount of 7% of the City's annual assessment as promulgated by the GSMJIF; and

WHEREAS, the value of this contract will exceed \$17,500, and the contractor has filed a Business Entity Disclosure Certification and a Business registration Certificate with the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that Brown & Brown Metro, Inc. is hereby appointed as risk manager for the City of Englewood and that the City Manager is hereby authorized to execute and the City Clerk attest to an agreement between the City of Englewood and Brown & Brown Metro, Inc. setting forth the duties required for a one year period beginning January 1, 2011 and ending December 31, 2011; and

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

| COUNCIL | MOTION | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------|--------|------|------|---------|--------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</i> | | | | | |

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

CITY OF ENGLEWOOD

RESOLUTION #102-05-03-11

AUTHORIZING AWARD OF CONTRACT FOR RECREATION BUS SERVICES

WHEREAS, sealed bids were received on March 23, 2011 for Recreation Bus Services in accordance with specifications therefore and following public advertisement; and

WHEREAS, two bids were submitted and the bid of Trans-Ed, Inc., 1 Jefferson St, Passaic, New Jersey, 07055 was the lowest responsible bid in the amount of \$13,944.00 and is in compliance with the specifications and based upon the recommendation of the Recreation Director 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 Trans-Ed, Inc. in the amount of \$13,944.00 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 Trans-Ed, Inc. for Recreation Bus 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.

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</i> | | | | | |

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

CITY OF ENGLEWOOD

RESOLUTION # 103-05-03-11

**PERSON- TO-PERSON AND PLACE -TO- PLACE TRANSFERS
OF PLENARY RETAIL DISTRIBUTION LICENSE**

WHEREAS, an application has been filed for both person-to-person and place-to-place transfers of Plenary Retail Distribution License 0215-44-015-010, heretofore issued to Steven Mitnick, Esq., Statutory Receiver, Englewood Joe II Wines for premises located at 70 Grand Avenue, Englewood, New Jersey 07631 or, if applicable, for an inactive license with a mailing address of ; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the City of Englewood does hereby approve, effective May 3, 2011, the transfer of the aforesaid Plenary Retail Distribution License to Shreenathji Krupa Inc., and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Shreenathji Krupa Inc., and to the premises located at 70 Grand Avenue, Englewood, New Jersey 07631 effective May 3, 2011."

| COUNCIL | MOTION | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</i> | | | | | |

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

CITY OF ENGLEWOOD

RESOLUTION #104-05-03-11

AMENDMENTS TO 2011 BUDGET

WHEREAS, the local municipal budget for the year 2011 was approved on the 15th day of March, 2011 and;

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, on March 21, 2011 the State of New Jersey enacted the Municipal Library Tax Levy Law, P.L. 2011, c 38 (s-2068), requiring municipalities that fund a free library to have a dedicated line item on the property tax bill equal to the minimum required funding by law and requiring a separate line item in the revenue section of the approved municipal budget;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the following amendments to the approved budget of 2011 be made:

| | FROM | TO |
|--|---------------|---------------|
| 6. Amount to be Raised by Taxes for Support of Municipal Budget: | | |
| a) Local Tax for Municipal Budget Purposes Including Reserve for Uncollected Taxes | 47,026,573.00 | 45,231,021.57 |
| c) Minimum Library Tax | 0.00 | 1,795,551.43 |
| Total Amount to be Raised for Support of Municipal Budget | 47,026,573.00 | 47,026,573.00 |
| 7. Total General Revenues | 60,546,626.81 | 60,546,626.81 |

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the 2011 Local Municipal Budget so amended.

IT IS HEREBY CERTIFIED that the Amendment Budget hereto and hereby made a part hereof is a true copy of the Amended Budget approved by resolution of the Governing Body on the 3rd day of May, 2011.

| COUNCIL | MOTION | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</i> | | | | | |

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

IT IS HEREBY CERTIFIED that the Adopted Budget Amendment annexed hereto and hereby made a part of the 2011 Budget is a copy of the original on file with the Clerk of the Governing Body that all additions are correct, all statements contained herein are in proof and the total of anticipated revenue equals the total appropriations.

Certified by me, this 3rd day of May, 2011

Howard Feinstein, CMFO
Chief Finance Officer
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION # 105-05-03-11

Authorizing the Adoption of the 2011 Budget

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, that the 2011 Budget, as approved on March 15, 2011, is hereby adopted;

BE IT FURTHER RESOLVED that the sums contained in the Official Budget constitute the appropriations and tax levy for the year 2011; and

BE IT FURTHER RESOLVED that the Budget authorizes the following:

- \$45,231,021.57 in the Amount to be Raised Through Taxes for Municipal Purposes for 2011 (Including \$2,967,246 for the year 2011 BCUA Sewer Tax. Accordingly, \$42,263,775.57 is raised through taxes for City purposes)
- \$ 1,795,551.43 in Minimum Library Tax
- \$60,546,626.81 in Total Appropriations for 2011

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

CITY OF ENGLEWOOD

RESOLUTION #106-05-03-11

APPOINTMENT OF CITY MANAGER

WHEREAS, the City Manager of the City of Englewood resigned from his position effective April 30, 2011; and

WHEREAS, the Acting City Manager is retiring effective May 31, 2011; and

WHEREAS, due to the time constraints imposed by virtue of the aforesaid resignation and retirement, the position of City Manager was duly advertised and a search committee formed in order to expeditiously review the applications submitted and conduct interviews for the position of City Manager, and interviews having been conducted by the Mayor and Council of those candidates who met the minimum qualifications for the position of City Manager; and

WHEREAS, the City of Englewood requires the appointment of a qualified individual to serve in the position of City Manager effective no later than June 1, 2011 given the impending retirement of the Acting City Manager; and

WHEREAS, the Mayor and Council of the City of Englewood recognize the financial constraints and issues faced by the City in these economic times and as such the total compensation to be paid to the incoming City Manager shall be less than the prior City Manager; and

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

- (1) That Timothy Dacey is hereby appointed as the City Manager of the City of Englewood effective June 1, 2011 at a salary of \$165,000 per annum, a car allowance of \$400 per month and 20 days vacation; and
- (2) That benefits to which Mr. Dacey is entitled shall be in accordance with existing City Ordinances pertaining to unclassified employee benefits; and
- (3) The City Attorney is hereby authorized to prepare an Agreement in accordance with the foregoing and the applicable City Ordinances governing benefits for unclassified employees.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to cause a brief notice to be published once in the RECORD newspaper and that the Resolution is on file and available for public inspection in the Office of the City Clerk.

| COUNCIL | MOTION | AYES | NAYS | ABSTAIN | ABSENT |
|-------------------|--------|------|------|---------|--------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</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 #107-05-03-11

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 and 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.

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</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 #108-05-03-11

2011 TEMPORARY EMERGENCY APPROPRIATIONS

WHEREAS, an emergent condition has arisen in that the City of Englewood is expected to enter into contracts, commitments, or payments prior to the adoption of the 2011 Budget and no adequate provision has been made in the 2011 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolution adopted in 2011 pursuant to the provisions of Chapter 96, PL 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$11,750,637;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20 emergency temporary appropriations are hereby made in the amount of \$2,754,021.

BE IT FURTHER RESOLVED that said emergency temporary appropriations will be provided for in the 2011 Budget and a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

| <i>COUNCIL</i> | <i>MOTION</i> | <i>AYES</i> | <i>NAYS</i> | <i>ABSTAIN</i> | <i>ABSENT</i> |
|-------------------|---------------|-------------|-------------|----------------|---------------|
| <i>Algrant</i> | | | | | |
| <i>Rosenzweig</i> | | | | | |
| <i>Reddin</i> | | | | | |
| <i>Cohen</i> | | | | | |
| <i>Drakeford</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
2011 TEMPORARY BUDGET**

Date: 4/27/2011

| Account Number | Description | | Amount | TOTAL AMOUNT |
|----------------|----------------------------------|----|---------|--------------|
| 1-50-1-1-1-1 | City Manager's Office | SW | 5,000 | |
| 1-50-1-1-2-26 | | OE | | 5,000 |
| 1-50-1-3-1-1 | City Clerk | SW | 8,000 | |
| 1-50-1-3-2-26 | | OE | | 8,000 |
| 1-50-1-4-1-1 | Human Resources | SW | 15,000 | |
| 1-50-1-4-2-10 | | OE | | 15,000 |
| 1-50-2-11-1-1 | Finance Office | SW | 10,000 | |
| 1-50-2-11-2-26 | | OE | | 10,000 |
| 1-50-2-12-1-1 | Data Processing | SW | 10,000 | |
| 1-50-2-12-2-26 | | OE | | 10,000 |
| 1-50-2-13-1-1 | Assesment of Taxes | SW | 5,000 | |
| 1-50-2-13-2-26 | | OE | 14,000 | 19,000 |
| 1-50-2-14-1-1 | Collection of Taxes | SW | 5,000 | |
| 1-50-2-14-2-26 | | OE | | 5,000 |
| 1-50-1-5-1-1 | Legal Services | SW | 1,000 | |
| 1-50-1-5-2-26 | | OE | 35,000 | 36,000 |
| 1-50-1-8-2-26 | Engineering | OE | 8,750 | 8,750 |
| 1-50-32 | Public Defender | SW | 1,000 | 1,000 |
| 1-50-3-17-1-1 | Fire Department | SW | 200,000 | |
| 1-50-3-17-2-26 | | OE | | 200,000 |
| 1-50-3-16-1-1 | Police Department | SW | 400,000 | |
| 1-50-3-16-2-26 | | OE | | 400,000 |
| 1-50-3-19-1-1 | Englewood Emergency Medical Svs. | SW | 5,000 | |
| 1-50-3-19-2-26 | | OE | | 5,000 |
| 1-50-5-40-1-1 | Municipal Court | SW | 10,000 | |
| 1-50-5-40-2-26 | | OE | 15,000 | 25,000 |
| 1-50-3-18-1-1 | Code Enforcement | SW | 30,000 | |
| 1-50-3-18-2-26 | | OE | | 30,000 |
| 1-50-4-23-1-1 | Construction & Facilities | SW | 3,000 | |
| 1-50-4-23-2-13 | | OE | | 3,000 |
| 1-50-4-21-1-1 | Public Works Administration | SW | 15,000 | |
| 1-50-4-21-2-26 | | OE | 2,500 | 17,500 |

