

City of Englewood  
City Council Meeting Minutes  
March 1, 2011

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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 member Michael Cohen  
Council member Scott Reddin  
Council member Jack Drakeford  
Council member Lynne Algrant  
Mayor / Council President Frank Huttle III  
City Manager Daniel Fitzpatrick  
Assistant City Manager Robert Gorman  
City Solicitor William Bailey  
City Clerk Lauren Vande Vaarst

Absent: Council member Ken Rosenzweig

Council President Huttle 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.

RESOLUTION #059-03-01-11

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETING  
February 15, 2011

COUNCIL WORKSHOP  
February 10, 2011  
February 16, 2011  
February 23, 2011

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>					X
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #060-03-01-11

**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 \$1,307,430.93.

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

<b>Reddin</b>		<b>X</b>			
<b>Cohen</b>		<b>X</b>			
<b>Drakeford</b>		<b>X</b>			

Communications from the Mayor/Council Members:

Public Comment on Agenda Items: *No one from the public came forward to speak*

RESOLUTION #061-03-01-11

**SELF-EXAMINATION OF BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the City of Englewood has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the City of Englewood that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>		<b>X</b>			
<b>Rosenzweig</b>					<b>X</b>
<b>Reddin</b>		<b>X</b>			
<b>Cohen</b>		<b>X</b>			
<b>Drakeford</b>	<b>X</b>	<b>X</b>			

RESOLUTION # 062-03-01-11

**RENEWAL OF LIQUOR LICENSES FOR 2010-2011**

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

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

**LIMITED RETAIL DISTRIBUTION LICENSE #43**

0215-43-021-002

Ventura Walter (*Inactive*)

(No Address on File)

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b><i>Algrant</i></b>		X			
<b><i>Rosenzweig</i></b>					X
<b><i>Reddin</i></b>		X			
<b><i>Cohen</i></b>		X			
<b><i>Drakeford</i></b>	X	X			

RESOLUTION #063-03-01-11

**APPOINT MUNICIPAL BOND COUNSEL**

**WHEREAS**, the City of Englewood requires the services of professional bond counsel for the 2011 operating year; and

**WHEREAS**, the City issued a Request for Proposals for bond counsel services; 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 GluckWalrath LLP with offices at 428 River View Plaza, 2nd Floor, Trenton, NJ 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 2011 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 GluckWalrath 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 GluckWalrath LLP;

**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.

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

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

RESOLUTION #064-03-01-11

**AUTHORIZING APPOINTMENT OF CITY PHYSICIAN**

**BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment, pursuant to P.L. 2004 c. 19, is confirmed commencing January 1, 2011 through December 31, 2011 and the City Manager is hereby authorized to execute the appropriate appoint letter:

City Physician

Dr. Robert Adair

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

RESOLUTION #065-03-01-11

**APPOINT HISTORIC PRESERVATION ADVISORY COMMITTEE 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 Historic Preservation Advisory Committee for the following terms:

Will Lee , 163 W. Demarest Avenue, reappointed as a Class B member to a four-year term commencing January 1, 2011 and expiring December 31, 2014.

Norman Davis, 68 Dwight Place, Apt. A, reappointed as a Class C member to a four-year term commencing January 1, 2011 and expiring December 31, 2014.

Richard Bennett, 290 Katherine Street, reappointed as a Class A member to a four-year term commencing January 1, 2011 and expiring December 31, 2014.

Thomas Monroe, 178 Liberty Road, #4, reappointed as a Class C, Alternate #1 member to a two-year term commencing January 1, 2011 and expiring December 31, 2012.

Ezri Shecter, 243 Walton Street, reappointed as a Class C, Alternate #2 member to a two-year term commencing January 1, 2011 and expiring December 31, 2012.

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

RESOLUTION #066-03-01-11

**APPOINT RECREATION ADVISORY COMMITTEE 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 Recreation Advisory Committee for the following terms:

Shirley Smith, 374 W. Palisade Avenue, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Rosa Ruddock, 180 Tenafly Road, appointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Jason Silverstein, 202 Allison Court, appointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Scott Reddin, 331 Lantana Avenue, appointed as City Council Liaison to a one-year term commencing January 1, 2011 and expiring December 31, 2011.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>		X			
<b>Rosenzweig</b>					X
<b>Reddin</b>		X			
<b>Cohen</b>		X			
<b>Drakeford</b>	X	X			

RESOLUTION #067-03-01-11

**APPOINT TRAFFIC ADVISORY COMMITTEE 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 Traffic Advisory Committee for the following terms:

Alfred Snowman, 121 Huguenot Avenue, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

David Popkin, 303 Tenafly Road, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Ann Schiebel, 162 Lydecker Street, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Lisa Shafer, 87 Spring Lane, reappointed as a member to a three-year term commencing January 1, 2011 and expiring December 31, 2013.

Michael Cohen, 181 Madison Avenue, appointed as City Council Liaison to a one-year term commencing January 1, 2011 and expiring December 31, 2011.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>		X			
<b>Rosenzweig</b>					X
<b>Reddin</b>		X			
<b>Cohen</b>		X			
<b>Drakeford</b>	X	X			

RESOLUTION #068-03-01-11

**APPOINT HOUSING AUTHORITY MEMBER**

**BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment is confirmed to the Englewood Housing Authority for the following term:

Carol Feinstein, 86 W. Hamilton Avenue, appointed as a member to a fill an unexpired five- year term expiring December 31, 2013.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>		X			
<b>Rosenzweig</b>					X

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

RESOLUTION #069-03-01-11

**APPOINT MUNICIPAL REPRESENTATIVES TO THE  
COMMUNITY DEVELOPMENT REGIONAL COMMITTEE**

**WHEREAS**, the City of Englewood has entered into an agreement with the County of Bergen as provided under the Interlocal Services Act, N.J.S.A. 40A:8A-1 et seq., and Title I of the Housing and Community Development Act of 1974; and

**WHEREAS**, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year July 1, 2010 through June 30, 2011.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Englewood, Bergen County, New Jersey, hereby appoints Mayor Frank Huttie III as its representative to participate on the Community Development Regional Committee and Councilman Jack Drakeford is appointed as the Alternate.

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

Work Session:

Budget Workshop – Non Departmental:

- Daniel Fitzpatrick reviewed what comprises the Non Departmental budget items.
- The Mayor and Council asked questions about the Non Departmental budgets, and topics discussed were:
  - Terminal Leave
  - Grants
  - Special Assessment District
  - Purchasing
  - Debt Service
  - Tax Appeals
  - EVAC
  - Capital Improvement Fund
  - Utilities
  - Insurance/ Statutory Expenses
  - Pensions

Public Session:

- Sandy Greenberg 449 Liberty Road – discussed Route 4 Special Assessment District, Fire Department EMS billing and zoning of property now that St. Cecilia’s School is closing.

**ADJOURN: 10:30PM**

Motion: Algrant  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk