

City of Englewood
City Council Meeting Minutes
August 16, 2011

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 Ken Rosenzweig
Council member Michael Cohen
Council member Scott Reddin
Council member Jack Drakeford
Council member Lynne Algrant
Mayor / Council President Frank Huttle III
City Manager Timothy Dacey
City Solicitor William Bailey
City Clerk Lauren Vande Vaarst

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 #164-08-16-11

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
July 19, 2011

COUNCIL WORKSHOP MEETING
August 9, 2011

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X		X (8/9/11)	

Old Business:

- Best Practices Checklist
 - The Best Practices Checklist is certified by CFO, and is not a function of the City Council.
 - The checklist determines the City's eligibility to receive State Aid.
 - City Manager reviewed the Best Practices Checklist with the Mayor and Council.
- Liberty School
 - Mayor Huttle gave an overview of the history between the City of Englewood and the Board of Education in regard to the occupancy of Liberty School.
 - Spoke about the Lease Agreement, and the necessity of signing the agreement as soon as possible.
 - The City Attorney and the City Manager will bring the Lease Agreement to closure and report back to the Mayor and Council.
- 2012 Budget
 - Budget process will commence in September.

RESOLUTION #165-08-16-11

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 \$1,426,915.26.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Rosenzweig		X			
Reddin		X			
Cohen		X			
Drakeford		X			

Communications from the Mayor/Council Members:

Comments from the City Manager:

- Construction has begun on sidewalks at Veterans and Depot Square Parks.
- The Ice Arena has been power washed and clean up of the facility is currently underway.
- The half price pool memberships have been in place since August 1st.
- Currently getting quotes on roof replacement for the Mackay Park Gatehouse.
- The Special Assessment Public Hearing date will be announced soon.
- There will be a meeting tomorrow (8/17) to discuss shared garbage collection in the Bergen Street Parking lot.
- The Recreation Department will be submitting an application for new playground equipment in Mackay Park.

ORDINANCE #11-12

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-20 SCHEDULE XII
OF THE TRAFFIC AND PARKING ORDINANCE
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD**

WHEREAS, Chapter 25, Section 25-20 Schedule XII restricts the parking of vehicles between the hours specified upon any of the following described streets or parts of streets within the City of Englewood on the dates indicated; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the aforesaid Section to modify limitations on parking in designated areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-20, Schedule XII is hereby amended as follows:

- | | | | | |
|----------------|-------|------------|------------|---|
| Lantana Avenue | North | 8AM-12noon | Tuesdays | From Knickerbocker Road to Liberty Road |
| Lantana Avenue | South | 8AM-12noon | Wednesdays | From Knickerbocker Road to Liberty Road |

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

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Reddin	X	Y
Cohen		Y
Drakeford		Y

ORDINANCE #11-13

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-18 SCHEDULE X
OF THE TRAFFIC AND PARKING ORDINANCE
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD**

WHEREAS, Chapter 25, Section 25-18 Schedule X restricts parking on certain streets within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the aforesaid Section to modify limitations on parking at designated areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-18, Schedule X is hereby amended as follows

Parking shall be prohibited on Huguenot Avenue South which reads "from the westerly curb line of Starling Road to a point 210 feet westerly thereof" between the hours of 10:00 a.m. to 11:00 a.m. (except weekends and holidays).

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

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Reddin		Y
Cohen	X	Y
Drakeford		Y

ORDINANCE #11-08

AN ORDINANCE AMENDING THE ENGLEWOOD SITE PLAN REVIEW ORDINANCE, BEING ARTICLE 6 OF THE MUNICIPAL LAND USE ORDINANCE OF THE CITY OF ENGLEWOOD PERTAINING TO "SITE PLAN APPROVAL – WHEN REQUIRED"

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, pursuant to the provisions N.J.S.A. 40:55D-1 et seq., that Article 6 of the Municipal Land Use Ordinance pertaining to "Site Plan Approval-when required" be amended as follows:

Section 1. The Site Plan Review Ordinance of the City of Englewood, being Article 6 of the Municipal Land Use Ordinance of the City of Englewood, as amended, is hereby further amended so as to amend the provisions of Section 2 (a) thereof to read in full as follows:

Section 2. Site Plan Approval – when Required.

(a) Except as provided in Subsection (b) below, site plan approval by the Planning Board or Board of Adjustment shall be required, and no building permit or certificate of occupancy issued until a site plan therefore shall have first been approved by the Planning Board or the Board of Adjustment, in the event of any of the following:

- (i) The construction of a new building or addition to an existing building;
- (ii) A development or redevelopment of any property including any property located in a redevelopment area;
- ~~(iii) A change occupancy of any site that does not have site plan approval dating from January 1, 1975 or later;~~
- (iv) A change in occupancy that requires the altering, increasing or decreasing, or any other change to parking facilities or vehicular storage or other exterior storage areas, or vehicular access, or vehicular travel ways, or pedestrian ways, to comply with the City of Englewood's ordinance requirements;
- (v) A change in occupancy of a site that includes exterior parking or exterior storage areas;
- (vi) A site that requires a substantial change in landscaping or lighting as a direct result of a new occupancy, as first determined by the Zoning Officer, and then referred to the Planning Board for site plan approval or waiver;

(vii) When steeped sloped areas are being developed or redeveloped, except for those applications for development which are exempt from site plan approval pursuant to the provisions of the Municipal Land Use Act (N.J.S.A. 40:55D-1 et seq.). With respect to any application for development which is exempt from site plan approval, the appropriate municipal agency shall be governed by the provisions of this ordinance respecting steeped sloped areas in considering any variances in connection therewith."

Section 3. If any sentence, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

Section 4. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This ordinance shall take effect immediately upon passage and publication as required by law and upon filing with the Planning Board of the County of Bergen.

FIRST READING DATE: June 28, 2011

COUNCIL	MOTION	VOTE
Algrant	X	Y
Rosenzweig		Y
Reddin		Y
Cohen		Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: July 1, 2011

DATE PUBLIC HEARING HELD: August 16, 2011

DATE SECOND READING HELD: August 16, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Rosenzweig		Y		Y		Y
Reddin		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-08:

- Joe Nathan 247 Van Nostrand Avenue:
 - Asked for an explanation of this ordinance.
- Sandy Greenberg 449 Liberty Road:
 - Spoke about what the Planning Board at that time intended when the Ordinance was initially passed.

ORDINANCE #11-09

AN ORDINANCE AMENDING THE MUNICIPAL LAND USE ORDINANCE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 14 of the revised General Ordinances of the City of Englewood address among other things site plan review, subdivision and zoning; and

WHEREAS, Section 4-12.2 of said Chapter addresses off premises advertising signs and permits same as a conditional use within the office industrial district subject to certain conditions; and

WHEREAS, the City Council finds that it would be more appropriate to permit off premises advertising signs and regulate same in a manner consistent with the Court decision in the matter of Elray Outdoor Advertising Sign vs. the City of Englewood.

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

1. Sub paragraph B of Section 7- 4.3 of Sub Article VII of Article 8 of the Municipal Land Use Ordinance of the City of Englewood is hereby amended to read as follows: (b) "any off premise advertising sign except as permitted as a conditional use within the light industrial district."

Section 4-12.2 of Sub Article IV of Article 8 of the Municipal Land Use Ordinance of the City of Englewood is hereby amended to read as follows: off premises advertising signs shall not be permitted within the office industrial district; and

Section 4.8.2 of Sub Article IV is hereby amended to add the following 4 – 8.2 (j): Off Premises advertising signs shall be permitted as a conditional use within the Light Industrial (LI) District subject to the following conditions:

1. No more than one (1) off premises advertising structure (double sided) shall be permitted on any lot.
2. No part of any off premises advertising sign shall be located within 600 feet of a residential district, nor within 1,000 feet of another off premises advertising sign.
3. No part of any off premises advertising sign shall be located more than 100 feet from a roadway having a regularly posted speed limit of 50 MPH or more.
4. No part of any off premises advertising sign shall be higher above grade of the adjoining roadway than 35 feet.

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

FIRST READING DATE: June 28, 2011

COUNCIL	MOTION	VOTE

Algrant		Y
Rosenzweig		Y
Reddin	X	Y
Cohen		Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: July 1, 2011

DATE PUBLIC HEARING HELD: August 16, 2011

DATE SECOND READING HELD: August 16, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Rosenzweig	X	Y	X	Y	X	Y
Reddin		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-09:

- Helen Kiphaut 99 Charles Street:
 - Asked for an explanation of this ordinance.
- Sandy Greenberg 449 Liberty Road:
 - Asked if sign across Route 4 by the diner would be outlawed by this ordinance.
 - Inquired as to whether or not towns can eliminate billboards altogether.
 - Will this ordinance have any effect on the fabric signs on buildings in Downtown?

ORDINANCE #11-10

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF ENGLEWOOD AND APPROPRIATING \$2,488,200 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$2,368,700 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Englewood, in the County of Bergen, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$2,488,200 including the aggregate sum of \$119,500 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$2,368,700 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Purpose: 2011 Road Improvement Program, including but not limited to, improvements to Cedar Lane, Columbus Avenue, Franklin Street, Hamilton Avenue (Engle to Dean), Huguenot Avenue, Lane Drive, West Linden Avenue (William to Railroad Tracks), Lorraine Court, Manor Road (Hudson to Lantana), Phelps (Grand to Dead End), Robin Road (Meadowbrook to Huguenot) and Tryon Avenue (Knickerbocker to Fairfield), and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,503,200
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,431,200
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$72,000

- (b) Purpose: Reconstruction and replacement of various curbs and sidewalks located in the City and replacement of concrete cross walk, and including all work and materials necessary therefore or incidental thereto.

Appropriation and Estimated Cost: \$280,000
Estimated Maximum Amount of Bonds or Notes: \$266,500
Period or Average Period of Usefulness: 10 years
Amount of Down Payment: \$ 13,500

- (c) Purpose: Various City-wide Drainage improvements, including, but not limited to, the Lincoln Street drainage project and the Overpeck Creek dredging survey including, permitting and material testing, and the Overpeck Creek wall reconstruction survey and permitting, and including all work and materials necessary therefore or incidental thereto.

Appropriation and Estimated Cost: \$465,000
Estimated Maximum Amount of Bonds or Notes: \$442,500
Period or Average Period of Usefulness: 10 years
Amount of Down Payment: \$ 22,500

- (d) Purpose: Sanitary sewer replacements at various locations in the City, and including all work and materials necessary therefore or incidental thereto

Appropriation and Estimated Cost: \$105,000
Estimated Maximum Amount of Bonds or Notes: \$100,000
Period or Average Period of Usefulness: 40 years
Amount of Down Payment: \$ 5,000

- (e) Purpose: Improvements to various City Parks, including, but not limited to, Denning Park soccer field and Mackay Park, and including all work and materials necessary therefore or incidental thereto.

Appropriation and Estimated Cost: \$135,000
Estimated Maximum Amount of Bonds or Notes: \$128,500
Period or Average Period of Usefulness: 15 years
Amount of Down Payment: \$ 6,500

(f) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(g) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 11.5377 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$2,368,700 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$550,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The City reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

FIRST READING DATE: July 19, 2011

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		AB
Reddin	X	Y
Cohen		Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: July 25, 2011

DATE PUBLIC HEARING HELD: August 16, 2011

DATE SECOND READING HELD: August 16, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Rosenzweig		Y		Y		Y

Reddin		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-10:

- Norman Gorlyn 150 Madison Avenue:
 - Asked why the City is not paying for small dollar amount Capital items from the current budget instead of bonding.
- Joe Nathan 247 Van Nostrand Avenue:
 - Asked what percentage of the current budget is dedicated to paying debt service.
- Curtis Caviness 41 E. Forest Avenue:
 - Inquired as to who sees that Capital projects are enforced and completed.

Public Comment on Agenda Items:

- Helen Kiphaut 99 Charles Street:
 - Spoke about Resolution #166. Feels that an appraisal is needed for the structure in order to see if it could be rehabilitated.
- Sandy Greenberg 449 Liberty Road:
 - Spoke about Resolutions # 170 and 171. Asked what the Local Improvement Board is.
- Travis Waller 53 W. Palisade Avenue:
 - Spoke about Resolution #166. He would like the Lincoln School to be kept as a school.

RESOLUTION #166-08-16-11

**Authorize Rejection of Request For Qualifications/Request For Proposals
“Sale and Development of the Lincoln School Site”**

WHEREAS, Request For Qualifications/Requests for Proposals were received on January 12, 2011, for “Sale and Development of the Lincoln School Site” in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, proposals were properly received and opened, but in as much as the subject area is a designated redevelopment area and the City may perform additional analysis and studies as to the best use of the subject property; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the proposals received for “Sale and Development of the Lincoln School Site” be rejected and that the Bid Guarantees be returned to the submitters.

<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	X			
<i>Drakeford</i>		X			

RESOLUTION #167-08-16-11

AMEND DESIGNATION OF DEPOSITORIES

WHEREAS, the City of Englewood must adopt annually, a Cash Management Plan pursuant to N.J.S.A. 40A:5-14 et seq.; and

WHEREAS, the Cash Management Plan may be modified from time to time to reflect changes in the designations of depositories; and

WHEREAS, the objective of the Cash Management Plan of the City of Englewood is to ensure the preservation of capital (public funds) so that the principal is safe and the City’s funds are liquid; and

WHEREAS, the City of Englewood invests public funds primarily in the State of New Jersey Cash Management Fund except from time to time public funds may be placed in certificates of deposits directly with a commercial or qualified savings bank;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Englewood that the banks as set forth below shall be designated depositories of the City of Englewood funds for the purpose of investments and regular business as allowed for municipalities by Local Fiscal Affairs Law and pursuant to the Government Unit Deposit Protection Act; and

BE IT FURTHER RESOLVED that the Chief Financial Officer, as Custodian of Fund, shall maintain an annual schedule of said accounts with all disbursements made by check signed by the City Treasurer and countersigned by the City Manager; and

BE IT FURTHER RESOLVED that the Chief Financial Officer shall be and is designated to place investments, consistent with the City of Englewood Cash Management Plan, with the banking institutions listed below for the year 2011.

INVESTMENT DEPOSITORIES:	REGULAR BUSINESS DEPOSITORIES:
Primary: New Jersey Cash Management Fund Alternatives: Bank of America Valley National Bank Bank of New York PNC Bank Merrill Lynch Wachovia Lakeland Bank TD Bank Greater Community Bank Citibank Capital One Bank NVE Bank	PNC Bank Valley National Bank Bank of America Bank of New York Wachovia Lakeland Bank TD Bank Greater Community Bank Citibank Capital One Bank NVE Bank

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

RESOLUTION #168-08-16-11

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

WHEREAS, a Bergen County Community Development grant of \$213,506 has been proposed by Southeast Senior Center for Independent Living for Operating Expenses in the City of Englewood; and

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

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

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

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

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

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

RESOLUTION #169-08-16-11

**Resolution Supporting the
“Over the Limit Under Arrest 2011 Statewide Crackdown”**

WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

WHEREAS, 25% of motor vehicle fatalities in New Jersey are alcohol related; and

WHEREAS the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

WHEREAS the State of New Jersey, Division of Highway Safety, has asked law enforcement agencies throughout the state to participate in the “Over the Limit Under Arrest 2011 Statewide Crackdown”; and

WHEREAS, the project will involve increased impaired driving enforcement from August 19 through September 5, 2011; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of Englewood declares its support for the “Over the Limit Under Arrest 2011 Statewide Crackdown” from August 19 through September 5, 2011 and pledges to increase awareness of the dangers of drinking and driving.

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

RESOLUTION #170-08-16-11

MODIFICATION OF LOCAL IMPROVEMENT BOARD MEMBERS

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

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

David Abramovitz, 460 E. Palisade Avenue, Englewood, NJ 07631

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

RESOLUTION #171-08-16-11

APPOINTMENT TO LOCAL IMPROVEMENT BOARD

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

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

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

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

Gabriel Bousbib, 296 Thornton Road, Englewood, NJ 07631

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

RESOLUTION #172-08-16-11

Authorize State Contract Purchase of Police Vehicles

WHEREAS vehicles for use by police departments have been bid by the State of New Jersey under its Cooperative Purchasing Program; and

WHEREAS the City of Englewood is a participant in the State Cooperative Purchase program and has the requirement for nine (9) replacement police vehicles; and

WHEREAS funds are available for this purchase in the 2011 Police Budget and the Chief Financial Officer has provided a certification to this effect.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract with Winner Ford, Cherry Hill, NJ under State Contract A79009 for the purchase of nine (9), 2012 Dodge Charger Model Police Pursuit Vehicles for \$210,965.07, payable over three years under Mears Motor Leasing, 3905 El Rey Road, Orlando, Florida 32808.

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

RESOLUTION #173-08-16-11

APPOINTMENT OF COMMISSIONER TO THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND BOARD

WHEREAS, the City of Englewood is a member of the Garden State Municipal Joint Insurance Fund; and

WHEREAS, it is required for the City of Englewood to have representation on the Board of Commissioners.

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

1. Arielle Greenbaum Saposh is hereby appointed as Alternate Fund Commissioner representing the City of Englewood on the Garden State Municipal Joint Insurance Fund Board of Commissioners.

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

**Resolution Dedicating September 11, 2011
to Honor the Memory of Englewood Residents
Lost in the World Trade Center Tragedy**

WHEREAS, September 11, 2011 is the Tenth Anniversary of the terrorist attack on the World Trade Center and Pentagon in which the residents of the City of Englewood were personally affected by the loss of family, friends and neighbors, and

WHEREAS, the following residents of the City of Englewood are to be remembered as honored victims of the tragedy that unfolded that fateful day of September 11, 2001:

- Howard L. Kane**
- Michael S. Baksh**
- Alejandro Castano**
- Frank Joseph Doyle**
- Uhuru Gonja Houston**
- Frank Bennett Reisman**
- Alva C. Jeffries Sanchez**

WHEREAS, the Mayor and City Council of the City of Englewood wish to dedicate September 11, 2011 as a day of remembrance to honor the memory of the Englewood residents who were our family, friends and neighbors who were victims of these tragic events.

WHEREAS, the Mayor and City Council of the City of Englewood wish to join with the County, State and Nation in marking September 11, 2011 as a solemn day of remembrance of the terrible events ten years ago and in honoring the lives of the victims and the many first responders who gave their lives that day;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Englewood, County of Bergen that on this tenth Anniversary of the horrific events of September 11, 2001 we dedicate this day, September 11, 2011 to honor of the memory of these Englewood residents who were forever lost to us and honor their memory.

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

Public Session:

- Curtis Caviness 41 E. Forest Avenue:
 - Commented on the upcoming Joint meeting with the Board of Education and would like to see a discussion of Shared Services on the agenda.
 - Inquired as to why the Council has never mentioned shootings and safety issues.
 - Could the Lincoln School be used as a Community Center and provide programming for the kids?
- Jeanne Hopewell 380 Liberty Road:
 - Spoke about fracking and she would like to see it banned in Bergen County.
- Carter Jackson Teaneck:
 - Asked for an update of the status of the signage on the Public Safety Complex.
 - Invited the Mayor and Council to the Shiloh AME Zion Church Anniversary Celebration on Sunday, August 21st.
- James Erwin 40 Jefferson Street – Hackensack:
 - Spoke about the Community House that used to exist in Englewood, and the need for a new Community Center where kids and adults can interact.
- Norman Gorlyn 150 Madison Avenue:
 - Discussed the riots in the United Kingdom, on the Continent and Philadelphia. Is the City prepared to handle a riot?
- Sandy Greenberg 449 Liberty Road:
 - Glad to hear that the City is looking to restore and repair the Bergen Street Parking lot. The trees and shrubs need to be replaced as well.
 - The island on Ivy Lane and Tenafly Road is in a state of disrepair.
 - Does not want the Lincoln School torn , would prefer to see it renovated.

- o Asked if a proposal was ever given to the EEDC in regard to the Lincoln School.
- Rinda Barclay 283 Rosemont Place:
 - o Would like to see a Recreation and Cultural Arts Center in the City.
 - o Inquired as to the status of her previous request to limit /prohibit parking on snow covered streets.

RESOLUTION #175-08-16-11

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:

Litigation, Contract Negotiations and Personnel

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

ADJOURN: 10:55PM

Motion: Huttle
All in Favor

Lauren Vande Vaarst, RMC
City Clerk