

City of Englewood  
City Council Meeting Minutes  
September 11, 2012

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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 Marc Forman  
Council member Michael Cohen  
Council member Eugene Skurnick  
Council member Wayne Hamer  
Council member Lynne Algrant  
Mayor/Council President Frank Huttle III  
City Attorney William Bailey  
City Manager Timothy Dacey  
City Clerk Lauren Vande Vaarst

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 notice as required by the Open Public Meetings Act.

RESOLUTION #167-09-11-12

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETING  
August 21, 2012

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					X
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #168-09-11-12

**APPROVE PAYMENT OF BILLS AND CLAIMS**

**WHEREAS**, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment as well as a consolidated list of prepaid items. The prepaid items include emergency payments, wire transfers and regularly scheduled monthly payments that are paid between bill and claims list dates; 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 lists are hereby approved for payment in the total amount of \$2,726,889.33.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>		X			

Communications from the Mayor/Council Members:

Comments from the City Manager:

- The City pools are now closed. The Mackay Park Pool cover is ripped and a replacement cover will be purchased. The Pool Revenue and Expenditures report will be ready for October.
- The Bergen Street Parking Lot will be paved this week and the compactor is in place. Pay Station is being installed.
- The Pay by Phone parking system will roll out with a soft opening on October 1<sup>st</sup>. The official opening will be November 1<sup>st</sup>.
- The Nordhoff Place Reconstruction project will begin soon.
- Work is ongoing at the Wright Arena so that the facility can open in October.
- The Downtown Concert Series has been fairly well attended especially the last two (2) concerts.
- PSE&G's Dean Street underground gas line replacement project is moving along well. The individual property's replacements will begin soon.
- Denning Park Soccer Field is expected to be open November 1<sup>st</sup>.
- The curb and sidewalk replacement project has been going well.
- A Walk-through of the Liberty School was conducted for the YWCA and the Board of Education to finalize Fall and Winter programs.

ORDINANCE #12-22

**AN ORDINANCE AMENDING SECTION 56-75 OF ARTICLE XIV OF CHAPTER 56 OF THE  
CODE OF THE CITY OF ENGLEWOOD  
RELATING TO POST RETIREMENT HEALTH BENEFITS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, as follows:

**Section 1.** Section 56-75 of Article XIV of Chapter 56 of the Code of the City of Englewood, as previously amended by Section 2 of Ordinance No. 06-09, is hereby amended to read in full as follows:

"Section 56-75. Post-retirement health benefits

Upon retirement from the employ of the City of Englewood and after qualifying for retirement under either the New Jersey Public Employee Retirement System or the Police and Fire Retirement System either on a disability pension, with 25 or more of years of service or upon retirement upon or after the age of 62 with 15 or more years of service with the City of Englewood, the City of Englewood shall provide to employees within the unclassified service who are not represented as part of a collective negotiation unit, post-retirement health care coverage under the New Jersey State Health Benefits Program pursuant to N.J.S.A. 52:14-17.38, provided that the City of Englewood remains enrolled in the New Jersey State Health Benefits Program, for the retiree up to age 65 and his/her eligible dependents **spouse** up to age 65 or until the death of the retiree, whichever first occurs, with the City of Englewood contributing 100% of the premium payment therefore, but without reimbursement for Medicare or premium payments for the surviving spouse."

**Section 2.** If any sentence, section, 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 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 required by law.

FIRST READING DATE: September 11, 2012

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		Y
Skurnick		Y
Cohen		Y
Hamer	X	Y

ORDINANCE #12-23

**REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN  
AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$2,900,000**

**THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,900,000 BONDS OR NOTES OF THE CITY OF ENGLEWOOD FOR FINANCING THE COST THEREOF**

**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 City of Englewood, in the County of Bergen, New Jersey (the "City") is hereby authorized to pay an aggregate amount not exceeding \$2,900,000 for amounts owed by the City to the owners of various properties for taxes levied in the City, as more particularly described on the List of Owners and Properties involved in Tax Appeals available for inspection in the office of the City Clerk, which list is hereby incorporated by reference as if set forth at length herein, and which amounts are due and owing from the City on or before December 31, 2012.

Section 2. An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$2,900,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding 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 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, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time 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 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. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Chief Financial Officer of the City as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein. 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 refunding bond ordinance by \$2,900,000, but that the net debt of the City determined as provided in the Local Bond Law is not increased by virtue of a deduction pursuant to N.J.S.A. 40A:2-52.

Section 6. To the extent the refunding bonds or notes authorized hereunder are issued as tax-exempt obligations, the City hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the refunding 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. The City reasonably expects to expend general funds or other available moneys for the purpose described in Section 1 hereof prior to the issuance of refunding bonds or notes hereunder. To the extent such funds are spent, the City further reasonably expects to reimburse such expenditures from the proceeds of the refunding bonds or notes authorized by this refunding bond ordinance, in an aggregate not to exceed the amount of refunding bonds or notes authorized in Section 3 hereof.

Section 7. The City hereby covenants to comply with Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 to the extent applicable to the issuance of refunding bonds or notes issued pursuant to this refunding bond ordinance.

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 refunding 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. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted.

FIRST READING DATE: September 11, 2012

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		Y
Skurnick		N
Cohen		Y
Hamer	X	Y

Mayor and Council comments on Ordinance #12-23:

- Mayor Huttle read a prepared statement regarding this ordinance. Property values were overstated because they were based on 2007 levels, which was the height of the market and values then plunged in the 2008 real estate depression. The City conducted a reassessment in 2011 to correct the valuations. The City must pay back the entire amount of the tax appeal which includes municipal, county and school taxes even though we only receive the municipal portion. He feels that the City needs to bond for the tax appeals in order to pay off this extraordinary expense. The Mayor does not support using Bond Anticipation Notes and wants the principle and interest paid. He explained that bonding for a tax appeal is not current spending but is bonding for a capital expense. The City does not need to manufacture a crisis as a financial tsunami is already here.
- Ron Amorino, CFO explained the variables to consider when bonding:
  - Amount you need to bond.
  - Amount that can be taken from Surplus.
  - Amount currently in Reserves.
- Councilwoman Algrant:
  - Asked how much did the Council pull from surplus into the current budget for spending for 2012 (\$3.3 million dollars).
  - What are some other instances that the City can use Surplus?
    - Ron Amorino said for emergencies that we do not have the cash to pay for, but you then have to raise the money and put it back into Surplus.
    - Tim Dacey explained that the Surplus amount is very important because the Bonding Agencies use this to determine a municipality's credit rating.
- Mayor Huttle reviewed the total assessed values of the properties under appeal:
  - 2006 - \$36 million dollars
  - 2007- \$78 million dollars
  - 2008- \$120 million dollars
  - 2009- \$590 million dollars
  - 2010- \$764 million dollars
  - Values began to drop in 2011 due to the City-wide reassessment, \$500 million dollars
  - 2012- \$485 million dollars
- Councilman Skurnick spoke about Councilwoman Algrant's question and that there is no one account for Surplus that is earning interest. Surplus is a slush fund used to manipulate the tax rate.
- Ron Amorino, CFO explained the three (3) scenarios regarding the Bonding for the Tax Appeals:
  - Finance the entire \$3.45 million dollars through bonds. This would increase the City's debt by \$321,000 per year over 5 years.
  - Finance \$3.15 million dollars through bonds and use \$300,000 from Reserves for Tax Appeals account.
  - Financing \$2.9 million dollars through bonds, \$350,000 from Reserves for Tax Appeals account and \$200,000 from Surplus.
  - Mr. Amorino recommends scenario #2 and that the City should start to build up the Reserve for Tax Appeals in next year's budget.
- Councilman Skurnick asked why we cannot use all of the \$800,000 that is currently in the Reserve for Tax Appeals account. Mr. Amorino explained that this is a perfect time to bond and does not recommend using all of the money reserved for tax appeals.
- Mayor Huttle does feel that we need to exhaust tax reserves as much as possible.
- Councilwoman Algrant would like the Minutes to reflect that she has amended her motion to include in the ordinance that "the \$2.9 million dollars is to be paid over a period of tie not to exceed five (5) years".
- Mayor Huttle wants the Bond to be tax exempt.
- Councilman Hamer would like a written opinion from Bond Counsel as to whether or not the Bond will be tax exempt.

- Councilman Skurnick asked if the Bond is not tax exempt will the City still go forward with this strategy, and the answer was "yes".
- Councilman Cohen spoke about prepaying the loans faster and replenishing the Surplus for next year's Budget.
- Councilman Skurnick explained that he would be voting "no" to introduce Ordinance #12-23 because he feels that he does not have enough information to vote on the new numbers.

ORDINANCE #12-24

**AN ORDINANCE AUTHORIZING  
SALE OF LAND WITHOUT PUBLIC AUCTION**

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) authorizes a private sale of certain lands owned by a municipality where such lands are less than the minimum size required for development, and

**WHEREAS**, such sale opportunity is limited to the owners of property contiguous to the subject property, and

**WHEREAS**, the Governing Body has determined that Block 2408 Lot 16 meets the statutory criteria, and

**WHEREAS**, the Governing Body has determined that the sale of said lands meet the statutory criteria of N.J.S.A. 40A:12-13(b)(5), that said lands are not needed for public purposes, and

**WHEREAS**, the sale of such lands is in the best interest of the City of Englewood,

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Englewood as follows:

1. The Governing Body of the City of Englewood shall offer the land known as Block 2408, Lot 16, also known as 102 Grand Avenue, Englewood, New Jersey to the owners of the contiguous properties, as shown on the Borough Tax Records, for the minimum price of \$38,000.00. The land located in Block 2408, Lot 16 consists of approximately 1,349 square feet, as more fully described in the Plan dated October 5, 2006 prepared by K. Albert Associates, Inc., which is available for review at City Hall, 2-10 North Van Brunt Street, Englewood, New Jersey.

2. The sale shall be to the party (limited to the contiguous owners) submitting the highest bid equal to or in excess of the listed price. The terms of the sale shall be that the City shall deliver marketable title, with closing to occur within forty-five (45) days of the awarded bid.

3. The Deed of Conveyance for said property shall contain the following restriction which shall be binding upon the heirs, successors and assigns of the purchaser:

"THE WITHIN LANDS SHALL BE MERGED WITH THE LANDS COMMONLY KNOWN AS LOT \_\_\_\_\_, BLOCK \_\_\_\_\_ (SUCCESSFUL BIDDER'S INFORMATION TO BE INSERTED) WHICH LANDS ARE OWNED BY THE GRANTEE HEREOF. SAID LANDS SHALL HEREAFTER NOT BE USED OR SUBDIVIDED IN ANY WAY EXCEPT AS PART OF A CONFORMING LOT BEING USED IN CONFORMANCE WITH THE USE AND BULK REGULATIONS SET FORTH IN THE ENGLEWOOD LAND USE ORDINANCE AS MAY FROM TIME TO TIME BE AMENDED."

4. The conveyance shall also be subject to the following terms and conditions to be stated in the Deed of Conveyance:

- (a) Such taxes as may hereafter be due for the balance of the year.
- (b) Zoning Ordinance of the City of Englewood and any other Ordinance which may affect the use of the above property.
- (c) The lands hereinafter described are not sold upon any representation that the City will install any drain, sewer, roads, curbing or other improvements.
- (d) Subject to easement and restrictions, if any, affecting the said premises whether recorded or unrecorded.
- (e) The property above described is being conveyed in an "as is" condition. The City makes no representation as to the condition of same, nor does the City make any warranty, implied or expressed, conditional or unconditional, regarding the same.
- (f) Subject to such state of facts as an accurate survey may disclose.
- (g) Subject to such variations and easements which a title search and survey may reveal.
- (h) Reservation to the City of Englewood of a perpetual right and easement over, under, and across the property described to maintain, repair, replace and otherwise service the storm drainage pipe/system located on, near, and under the property described herein.

**BE IT FURTHER ORDAINED** that the Governing Body finds and determines, in accordance with N.J.S.A. 40A:12-13(b)(5) that the minimum purchase price for this property in its setting and as the future use of the property is limited by this Ordinance and is equal to or greater than the fair market value of the subject property based upon appraisals of similar properties and tax assessment practices within the City.

The Governing Body retains the right, as mandated by statute, to reconsider this Ordinance not later than 30 days from the date hereof.

A copy of this Ordinance shall be posted on the bulletin board of the Governing Body and published in the official newspaper of the City of Englewood within five days following the adoption hereof.

Written offers for the property so identified and listed in this Ordinance may be made to the Clerk for the City of Englewood for a period of 20 days following the adoption and advertisement hereof. The City Clerk is Lauren Vande Vaarst, and offers should be directed by personal delivery per certified mail to 2-10 North Van Brunt Street, Englewood, New Jersey 07631, not later than 20 days after the advertisement. Any such offer shall be accompanied by a certified or bank check in an amount not less than 10% of the bid price, which check shall be made payable to the City of Englewood. All such offers shall be in a sealed envelope with the following printed on the outside:  
"Offer to purchase Block 2408, Lot 16, submitted by \_\_\_\_\_ ."

The time within which to submit bids shall close at the conclusion of the 20-day period aforementioned, or such further period, as extended.

The City reserves the right to reject any and all bids and to waive any irregularities therein to the maximum extent provided by law. Closing of title shall occur at the offices of Huntington Bailey, L.L.P., 373 Kinderkamack Road, Westwood, New Jersey 07675. Title to be conveyed shall be insurable by a New Jersey licensed title company at regular rates, however, conveyance at the City's option, shall be by quit claim deed. If title is not acceptable, the transaction is void and deposit shall be returned, and the City shall have no other responsibility.

A further condition of the sale shall be that the purchaser shall be responsible to record the Deed with the Clerk/Register of Deeds of the County of Bergen, and that filing costs be the sole responsibility of the purchaser.

Any Ordinance or a part thereof which is inconsistent with the provisions of this Ordinance shall be, and is, hereby amended.

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

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

FIRST READING DATE: September 11, 2012

COUNCIL	MOTION	VOTE
Algrant	X	Y
Forman		Y
Skurnick		Y
Cohen		Y
Hamer		Y

ORDINANCE #12-21

**ORDINANCE REAPPROPRIATING \$136,182 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR IMPROVEMENTS TO VARIOUS CITY OF ENGLEWOOD PARKS 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 \$136,182 of the proceeds of obligations originally made available pursuant to Section 3(c) of Bond Ordinance No. 08-10 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted May 6, 2008 (the "Ordinance"), is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$136,182 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for improvements to various City parks and acquisition of related equipment and 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.

FIRST READING DATE: August 21, 2012

COUNCIL	MOTION	VOTE
Algrant	X	Y
Forman		Y
Skurnick		N
Cohen		Y
(Vacant)		-----

DATE PUBLISHED IN THE RECORD: August 24, 2012

DATES PUBLIC HEARINGS HELD: September 11, 2012

DATE SECOND READING HELD: September 11, 2012

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Forman		Y		Y		Y
Skurnick		Y		Y		N
Cohen		Y		Y		Y
Hamer		Y		Y		Y

Public Hearing on Ordinance #12-21:

No one from the public came forward to speak.

Mayor and Council comments on Ordinance #12-21:

- Councilman Skurnick explained that he would be voting “no” on Ordinance #12-21 because the money is not just for playgrounds but the Arena as well. He feels that the Arena operator should be funding this as well. Funding for the John T. Wright Ice Arena should come from the Arena.
- Councilwoman Algrant explained that Ordinance #12-21 has nothing to do with the \$1 million dollars in improvements for the Arena. It was decided last year that the City would make improvements to the Arena and she feels that Councilman Skurnick is being disingenuous.

Public Comment on Agenda Items:

No one from the Public came forward to speak.

RESOLUTION #169-09-11-12

**AUTHORIZE CITY OF ENGLEWOOD  
APPLICATION FOR EXCESS BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS- FY 2011**

**WHEREAS**, a Bergen County Community Development grant of \$1,500,000 has been proposed by the City of Englewood for Excess Community Development Grant Funds- FY 2011 for the Overpeck Creek Channel Wall Replacement project; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #170-09-11-12

**AUTHORIZE CITY OF ENGLEWOOD APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS-  
OVERPECK CREEK CHANNEL WALL REPLACEMENT PROJECT**

**WHEREAS**, a Bergen County Community Development grant of \$250,000 has been proposed by the City of Englewood for the Overpeck Creek Channel Wall Replacement project; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #171-09-11-12

**AUTHORIZE CITY OF ENGLEWOOD APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS - AT RISK NETWORK PROJECT**

**WHEREAS**, a Bergen County Community Development grant of \$10,000 has been proposed by the Parks and Recreation Department of the City of Englewood for the Englewood At Risk Network project, which encompasses a community wide partnership to demonstrate its commitment to developing the necessary resources to address the needs outlined by our community's "at risk" youth; 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.

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

<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #172-09-11-12

**AUTHORIZE BERGEN FAMILY CENTER APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$20,000 has been proposed by Bergen Family Center for their Armory Street Family Intervention program; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #173-09-11-12

**AUTHORIZE FLAT ROCK BROOK NATURE ASSOCIATION APPLICATION FOR  
BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$11,000 has been proposed by the Flat Rock Brook Nature Association for environmental education programs for Englewood Public School District students 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #174-09-11-12

**AUTHORIZE WOMEN'S RIGHTS INFORMATION CENTER APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS- HELP FOR ENTERPRISING WOMEN PROGRAM**

**WHEREAS**, a Bergen County Community Development grant of \$92,740 has been proposed by Women's Rights Information Center for their Help for Enterprising Women program; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #175-09-11-12

**AUTHORIZE WOMEN'S RIGHTS INFORMATION CENTER APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS- SHARED HOUSING FOR ONE PARENT FAMILIES**

**WHEREAS**, a Bergen County Community Development grant of \$66,275 has been proposed by Women's Rights Information Center for their Shared Housing for One Parent Families program; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #176-09-11-12

**AUTHORIZE CALVARY CARES CDC, INC. APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$18,600 has been proposed by the Calvary Cares

Community Development Corporation, Inc. of Englewood for Smart Kids After School 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.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #177-09-11-12

**AUTHORIZE INFANT-SENIOR SHARING PROJECT, INC.  
APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$75,000 has been proposed by the Infant-Senior Sharing Project, Inc. Administrative Costs for the Infant-Toddler Day Care Center; 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.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #178-09-11-12

**AUTHORIZE CENTER FOR FOOD ACTION APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS-SECURITY DEPOSIT ASSISTANCE PROGRAM**

**WHEREAS**, a Bergen County Community Development grant of \$80,000 has been proposed by Center for Food Action for the Security Deposit Assistance Program in the municipalities of Englewood and six other Bergen County towns; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #179-09-11-12

**AUTHORIZE COMMUNITY HOUSING IN PARTNERSHIP, INC. APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$90,035 has been proposed by Community Housing in Partnership, Inc. (CHIP) for funds to provide ADA (Americans with Disability Act) handicap accessibility and an air conditioning system to the permanent housing project called Independence Hall at 89 James Street 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #180-09-11-12

**AUTHORIZE VINCENTE K. TIBBS CHILD DEVELOPMENT CENTER APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$45,000 has been proposed by the Vincente K. Tibbs Child Development Center for their Math, Science & Technology School Readiness Program to prepare the children for public school; 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #181-09-11-12

**MUNICIPAL REPRESENTATIVE FOR BERGEN COUNTY OPEN SPACE COMMITTEE**

**WHEREAS**, the City of Englewood has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

**WHEREAS**, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2012 funding year of September 1, 2012 through August 31, 2013;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Englewood hereby appoints Merle Simons as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #182-09-11-12

**APPOINTMENT OF CLASS III MEMBER TO UNEXPIRED TERM- PLANNING BOARD**

**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 fill an unexpired term expiring December 31, 2012:

Class III Member – Planning Board

Marc Forman

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #183-09-11-12

**AUTHORIZE THE CITY OF ENGLEWOOD TO JOIN THE  
COMMUNITY COLLABORATIVE AND DESIGNATE  
NORTHERN NEW JERSEY COMMUNITY FOUNDATION AS THEIR AGENT**

**WHEREAS**, the City Council of the City of Englewood joins with the Governing Bodies of the Borough of Bogota, Borough of Bergenfield, City of Hackensack, Borough of New Milford and Township of Teaneck to voluntarily agree to work together as members of a Community Collaborative (“Collaborative”) under the auspices of Northern New Jersey Community Foundation (“Foundation”); and

**WHEREAS**, the Foundation agrees to work in partnership with the Collaborative to minimize the effects of New Jersey’s fragmented municipal structure, reduce redundancies in services and infrastructure, and catalyze collective efforts to produce significant, widely shared, and lasting results to the effectiveness, efficiency, and cost of delivering local government services to the public; and

**WHEREAS**, the Collaborative designates the Foundation as their agent to research, apply for, accept, and administer grants and other monies to be used to fund the programs and projects of the Collaborative; and

**WHEREAS**, the Foundation agrees to be the agent for the Collaborative to research, apply for, accept, and administer grants and other monies to be used to fund the programs and projects of the Collaborative; and

**WHEREAS**, the purpose of these grant requests is to promote shared and regional services among our local units through the Collaborative program and projects; and to produce significant and sustainable improvements to the effectiveness, efficiency, and cost of delivering local government services to the public.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood does hereby join with the Governing Bodies of Borough of Bogota, Borough of Bergenfield, City of Hackensack, Borough of New Milford and Township of Teaneck and with Northern New Jersey Community Foundation in identifying opportunities for shared or regional service delivery alternatives and applying for grants for the purpose of studies of such shared endeavors; and

**BE IT FURTHER RESOLVED** that the Collaborative and the Foundation agree to make the results of the studies publically available to further promote shared and regional services among New Jersey's local governments.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Agrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #184-09-11-12

**AUTHORIZE THE CITY OF ENGLEWOOD TO JOIN THE COMMUNITY COLLABORATIVE AND THE NORTHERN NEW JERSEY COMMUNITY FOUNDATION TO APPLY FOR A SHARED SERVICES FEASIBILITY STUDY PROGRAM GRANT THROUGH BERGEN COUNTY**

**WHEREAS**, the City Council of the City of Englewood joins with the Governing Bodies of the Borough of Bogota, Borough of Bergenfield, City of Hackensack, Borough of New Milford and Township of Teaneck to voluntarily agree to work together as members of a Community Collaborative ("Collaborative") under the auspices of Northern New Jersey Community Foundation ("Foundation"); and

**WHEREAS**, the Foundation agrees to work in partnership with the Collaborative to minimize the effects of New Jersey's fragmented municipal structure, reduce redundancies in services and infrastructure, and catalyze collective efforts to produce significant, widely shared, and lasting results to the effectiveness, efficiency, and cost of delivering local government services to the public; and

**WHEREAS**, the Collaborative designates the Foundation as their agent to research, apply for, accept, and administer grants and other monies to be used to fund the programs and projects of the Collaborative; and

**WHEREAS**, the Foundation agrees to be the agent for the Collaborative to research, apply for, accept, and administer grants and other monies to be used to fund the programs and projects of the Collaborative; and

**WHEREAS**, the municipalities in the Collaborative and the Foundation jointly apply for a Shared Services Feasibility Study Program Grant through the County of Bergen to be awarded to and administered by the Foundation on their behalf in the amount of \$8,700; and

**WHEREAS**, the purpose of these grant requests is to provide the Collaborative with per captia cost of service delivery by municipality and by municipal function as a benchmarking model to help guide choices and priorities related to future sharing arrangements among the participating local units.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood does hereby join with the Governing Bodies of Borough of Bogota, Borough of Bergenfield, City of Hackensack, Borough of New Milford and Township of Teaneck and with Northern New Jersey Community Foundation in identifying opportunities for shared or regional service delivery alternatives and applying for grants for the purpose of studies of such shared endeavors; and

**BE IT FURTHER RESOLVED** that the Collaborative and the Foundation agree to make the results of the studies publically available to further promote shared and regional services among New Jersey's local governments.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Agrant</i>		X			
<i>Forman</i>		X			

<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #185-09-11-12

**RESOLUTION AUTHORIZING GRANT AGREEMENT FOR THE 2011 FUNDING ROUND OF THE BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND**

**BE IT RESOLVED**, that the City Council of the City of Englewood wish to enter into a grant agreement with the County of Bergen for the purpose of using a \$50,000 grant award from the 2011 Funding Round of the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the project entitled Recreation, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the project entitled Mackay Park Play Equipment located in Block 2309 Lot 20 on the tax maps of the City of Englewood;

**BE IT FURTHER RESOLVED**, that the City Council of the City of Englewood hereby authorize Timothy Dacey, City Manager to be a signatory to the aforesaid grant agreement Contract; and

**BE IT FURTHER RESOLVED**, that City Council of the City of Englewood hereby authorize Ronald Amorino, Chief Financial Officer to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Englewood recognize that the City of Englewood is liable for a dollar for dollar match for any funds awarded in accordance with the Trust Fund's requirements.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #186-09-11-12

**STATE CONTRACT PURCHASE- MACKAY PARK PLAYGROUND EQUIPMENT**

**WHEREAS**, the City of Englewood is a participant in the State Cooperative Purchase program and has the requirement for playground equipment to be placed in two (2) locations in Mackay Park; and

**WHEREAS**, partial funding for this purchase is being provided by a Bergen County Open Space Trust Fund grant in the amount of \$50,000 and the City of Englewood will provide the balance of the funds as per the terms of the grant agreement; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

**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 for the purchase of the playground equipment for Mackay Park for a total of \$169,175.78.

Funding for this project is available from the following sources:

- Ordinance 12-21
- Bergen County Open Space Trust Fund grant

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #187-09-11-12

**AUTHORIZE RENEWAL OF JOINT INSURANCE FUND INDEMNITY AND TRUST AGREEMENT**

**WHEREAS**, a number of local governmental units in the State of New Jersey have joined together to form a Joint

Insurance Fund as permitted by the Chapter 372 Laws of 1983(40A:10-36); and

**WHEREAS**, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

**WHEREAS**, the City Council of the City of Englewood, has determined that membership in the Garden State Municipal Joint Insurance Fund is in the best interests of itself and its citizens; and

**WHEREAS**, the City Council of the City of Englewood has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood, Bergen County, NJ does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2013 to December 31, 2015 for the purpose of establishing the following types of coverage:

- Workers' Compensation and Employer's Liability;
- General Liability including law enforcement and public official's liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle); and

**BE IT FURTHER RESOLVED** that the City has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute, and the City Clerk to attest, the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #188-09-11-12

**A WARD PROFESSIONAL SERVICES CONTRACT TO CONNOLLY & HICKEY HISTORICAL ARCHITECTS LLC FOR PREPARATION OF A HISTORICAL PRESERVATION PLAN**

**WHEREAS**, the City of Englewood requires a qualified historical architect to prepare a Historical Preservation Plan and the documents for nomination to both the New Jersey and National Registers of Historic Properties for the Mackay Park Gatehouse which will enable the City of Englewood to apply for construction grants for the structure; and

**WHEREAS**, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Connolly & Hickey Historical Architects LLC, P.O. Box 1726, Cranford, NJ 07016 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 not exceed \$44,000, half of which is being funded by a grant from the Bergen County Historic Preservation Trust Fund with the City of Englewood providing the matching funds as per the terms of the grant agreement; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

**WHEREAS**, Connolly & Hickey Historical Architects LLC will complete and submit 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

**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 Connolly & Hickey Historical Architects LLC to prepare a Historical Preservation Plan and the documents for nomination to both the New Jersey and National Registers of Historic Properties for the Mackay Park Gatehouse;

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

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Record 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.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #189-09-11-12

**AUTHORIZE ST. PAUL'S EPISCOPAL CHURCH APPLICATION FOR A BERGEN COUNTY BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND GRANT**

**WHEREAS**, the Bergen County Historic Preservation Trust of the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund provides grants to non-profit organizations for assistance in the preservation of historic buildings, districts, and sites;

**WHEREAS**, as part of the 2012 application by St Paul's Episcopal Church to the County of Bergen is the requirement that the applicant must obtain a resolution of acknowledgement that the municipality in which the project is located knows that the application is being made;

**WHEREAS**, St Paul's Episcopal Church has informed the City of Englewood of its intent to apply for a Bergen County Historic Preservation Trust Fund for a grant for assistance in the historic preservation of the improvements of St Paul's Episcopal Church located on property known as 113 Engle Street, Block 1005, Lot 11 on the tax map of the City of Englewood;

**WHEREAS**, the City of Englewood does not assume any financial liability or other responsibilities related to the application or the project;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood acknowledges that St Paul's Episcopal Church is applying to the Bergen County Historic Preservation Trust Fund.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #190-09-11-12

**HONORING MRS. ESTHER HILLIARD**

**WHEREAS**, Mrs. Esther Hilliard will be turning 100 years old on January 17, 2013 and has been an Englewood resident for over 70 years; and

**WHEREAS**, Mrs. Hilliard, wife of the late A. Daniel Hilliard, was born in 1913 in Nashville, Tennessee, the fourth of Rosa and Lucius Walker' five children and the granddaughter of a former slave and a Native American. Mrs. Hilliard spent her childhood in Nashville and in Chicago, Illinois. She currently resides in Englewood with her daughter Mrs. Christine Robinson and has two grandsons, four great grandchildren and six great-great grandchild; and

**WHEREAS**, Esther Hilliard has always been politically active and involved in whatever community she resided in. In Nashville she participated in numerous boycotts to improve conditions for her fellow African-Americans in regard to employment opportunities with local grocery stores and access to local transportation services, in New York City she served as a Sunday School Teacher at St. Mark's Methodist Church, has been involved in fundraising for Reverend Jesse Jackson's Rainbow Coalition, and in Englewood Mrs. Hilliard has been serving as the President of the Englewood AARP #3666 for the past 20 years, volunteered for State Senator Byron Baer and U.S. Senator Robert Torricelli, marched on City Hall to integrate the Englewood Public Schools, is a

member of Senior Happenings, longtime member of the Bergen County NAACP, past member of the Senior Arts & Crafts (CAP), member of the Modernaires and a quilt-making group; and

**WHEREAS**, Mrs. Hilliard retired after thirty years of service at West Pak of Englewood and Ridgefield and also worked at Alexander's Department Store in Paramus. She has traveled extensively throughout Europe, Africa, the United States and numerous Caribbean Islands. Esther is well known for both her fashion forward style, always wears a hat, and her skills as a gardener who plants beautiful and colorful gardens.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the City Council of the City of Englewood that on the occasion of the 100<sup>th</sup> anniversary of her birth would like to pay homage to Mrs. Esther Hilliard and congratulate her as she reaches this milestone in her life.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #191-09-11-12

**HONORING THE ENGLEWOOD JUNIOR TRACK AND FIELD TEAM**

**WHEREAS**, the 2012 Englewood Junior Track and Field Team, comprised of sixty-five (65) Englewood youths between the ages of 7-14 and their coaches, completed another successful year cumulating in a trip to the 46<sup>th</sup> USATF National Junior Olympics. This year's National Junior Olympics were held at Morgan State University in Baltimore, Maryland from July 23<sup>rd</sup> through 29<sup>th</sup>. Athletes qualified for the national championship based on their performances at the Preliminary, Association, and Regional levels of the 2012 USATF Junior Olympic Program; and

**WHEREAS**, the Englewood Junior Track and Field team qualified thirty-four (34) athletes to the Regional Junior Olympics which were held from July 5<sup>th</sup> to 8<sup>th</sup> at the University of Delaware. The Regional meet encompassed the best athletes of Region 2, with Englewood's young athletes having competed in the following events; 100m and 200m hurdles, 100m and 1500m run, triple jump, shot put, discus throw, and 4 relays. In order to qualify for the Nationals an athlete had to place in the top 5 in their age group at the Regional, and the Englewood Junior Track and Field Team had such a successful Regional that the team placed in the top 20 in all of their events with twelve (12) athletes advancing to the Nationals, the most of any team from New Jersey!

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honor the athletes and coaches of the Englewood Junior Track and Field Team on their outstanding season and for their commitment to the hard work and training that resulted in their success.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #192-09-11-12

**HONORING THE ENGLEWOOD YOUTH IN ACTION PROGRAM**

**WHEREAS**, Englewood Youth In Action (EYIA) is an afterschool civic leadership program for middle school students, run by the Bergen Family Center under the tutelage of Edward Choi as the program's supervisor and funded by an Impact Grant from The Community Chest of Englewood. In the program Englewood Youth In Action (EYIA) students learn about leadership, civic engagement and creating positive change; and

**WHEREAS**, beginning in January 2012, the program has been focusing on how to create long lasting change, as the students explored the "Broken Windows" theory with Englewood Police Department's Youth Officer, Detective Marc McDonald. The students identified Wides Corner, the commercial district at the intersection of Englewood Avenue and Lafayette Avenue, as an area that needed a new vision and spoke with business owners and toured the neighborhood to identify challenges and opportunities. They also identified issues for DPW to focus upon, such as the location and capacity of trash receptacles in the area; and

**WHEREAS**, on June 13, 2012 the "Whose Corner? Our Corner!" project which included murals, plantings and posters to engage community stakeholders in keeping Wides Corner beautiful and inviting kicked off. The event was such a success that the

enthusiasm and hard work of the students inspired the regular patrons of the area to help in the clean up process. And, the regular patrons have kept Wides corner clean all summer as a result of the EYIA activities.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honor the students of the Englewood Youth In Action and their advisors, for their pride and commitment to hard work in order to beautify and restore their hometown of Englewood.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #193-09-11-12

**HONORING THE ENGLEWOOD RAIDERS TRAVEL BASEBALL TEAM**

**WHEREAS**, this summer the Englewood Raiders travel baseball team of the Englewood Recreation Department made the playoffs at all age levels. The “thirteen years old and under” Raiders, coached by Englewood Fire Department Captain Joe Sorbanelli, went undefeated winning the first PBI championship in the history of Englewood. And, their championship was followed two weeks later by the victory of the “ten years old and under” Raiders, coached by Miguel Castro.

**WHEREAS**, the coaches are all volunteers from Englewood and use the game of baseball as a tool to teach the children about the importance of a strong education, teamwork, hard work, fair play, and good sportsmanship. The “thirteen years old and under” Assistant Coach and Englewood Firefighter, Jason Bertero, spends time helping the players with their homework. When the team first started only one player was on the honor roll, and since then the team has made such remarkable strides that last school year eight (8) out of the fourteen (14) players on the “thirteen years old and under” Raiders made the honor roll. The players and the coaches are actively striving for 100% of the team to make the honor roll.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honor the student-athletes and coaches of the Englewood Travel Baseball Team on their outstanding season and for their commitment to schoolwork and sports that has resulted in their success both on and off the playing field.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #194-09-11-12

**HONORING MRS. ROSELYN ANDERSON**

**WHEREAS**, on July 1, 2012 Roselyn Anderson officially retired as the Executive Director of the Englewood Housing Authority after a thirty-four year career in public housing; and

**WHEREAS**, Mrs. Anderson began her decades long career in public housing as a Section 8 caseworker with the Bergen County Housing Authority and very quickly worked her way up to the position of Section 8 Supervisor. Roselyn moved to the Englewood Housing Authority where she was named the Executive Director in 1981; and

**WHEREAS**, quality of life issues have always been a priority for Mrs. Anderson and it is evident in some of her proudest achievements while serving the clients of the Englewood Housing Authority. Roselyn worked tirelessly to provide computer instruction, internet access, reconstructed a small community room to be used as a “café” with income from rentals put back into project improvements, promoted the rehabilitation of eleven (11) existing public housing units into barrier free units; and

**WHEREAS**, Mrs. Anderson also found the time to volunteer as a Cub Scout Den Mother, Girl Scout Leader, P.T.A. President, and in her church she was a soloist, song leader and professional piano accompanist.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the City Council of the City of Englewood and wish Roselyn Anderson well in her retirement from the position of Executive Director of the Englewood Housing Authority.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

Public Session:

- Nicole Williams(Librarian) 53 E. Hudson Avenue and Nina Nanasi (Library Trustee) 265 Mountain Road:
  - Explained that the Englewood Public Library is currently doing a Strategic Plan as to what services the Library should be providing to the community. They would like everyone to participate in their online survey.
  - The Mayor would like the survey linked to the City's website and Facebook page.
- Barika Grant 293 W. Englewood Avenue:
  - Asked why is five (5) years on the table for the Tax Appeal Bond ordinance and not a longer time period. Mr. Bailey explained that the State will dictate whether it is three (3) or five (5) years. Councilman Hamer also explained that the idea is not to add much more debt to our existing debt.

RESOLUTION #195-09-11-12

**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

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

- ( ) Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- ( ) Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- ( ) Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- ( ) Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- ( ) Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- ( ) Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.
- ( ) Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.
- ( ) Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

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

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

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

<i>Skurnick</i>	X	X			
<i>Cohen</i>		X			
<i>Hamer</i>		X			

**ADJOURN: 11:10PM**

Motion: Skurnick

All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk