

City of Englewood  
City Council Annual Reorganization Meeting Minutes

January 8, 2013

The Annual Reorganization of the City Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 6:30 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 Frank Huttle III  
City Manager Timothy Dacey  
City Solicitor William Bailey  
City Clerk Lauren Vande Vaarst

The Council President 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 #001-01-08-13**

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETING  
December 18, 2012

CLOSED SESSION  
December 18, 2012

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

Mayor-elect Frank Huttle III and Council at Large-elect Lynne Algrant took the oath of office for their terms.

Mayor Huttle conducted the election of Council President for 2013. Council member Marc Forman nominated Mayor Frank Huttle and Council member Lynne Algrant seconded the motion. Nominations were closed. Upon roll call, all Council members present voted "Yes". Council President Huttle assumed the Chair after being sworn in by State Senator Loretta Weinberg.

Council President Huttle conducted the election of Council President Pro Tempore for 2013. Council member Marc Forman nominated Council member Lynne Algrant and Council member Michael Cohen seconded the motion. Upon roll call, all Council members present voted "Yes". Council President Pro Tempore Algrant was sworn into office by Assemblyman Gordon Johnson.

The following Elected Officials addressed the audience:

- Congressman Bill Pascrell, Jr., 9<sup>th</sup> District
- Senator Loretta Weinberg, Majority Leader NJ State Senate

All of the Dignitaries in attendance were acknowledged. State elected officials from NJ addressed the Mayor, City Council and visitors. The Mayor and City Council members remarked on the upcoming year.  
RESOLUTION #002-01-08-13

**SCHEDULE OF HOLIDAYS FOR 2013**

**WHEREAS**, the City of Englewood provides annual paid holidays for its employees in accordance with negotiated union contracts; and

**WHEREAS**, every effort has been made to avoid scheduling two holidays in the same week;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the following schedule of holidays for **2013** is approved and declared public holidays, and are applicable in so far as City activities and City employees are concerned:

<b><u>MONTH</u></b>	<b><u>DATE</u></b>	<b><u>DAY</u></b>	<b><u>HOLIDAY</u></b>
January	21	Monday	Martin Luther King's Birthday
February	18	Monday	Presidents' Day
March	29	Friday	Good Friday
May	27	Monday	Memorial Day
July	4	Thursday	Independence Day
September	2	Monday	Labor Day
October	14	Monday	Columbus Day
November	5	Tuesday	Election Day
November	11	Monday	Veteran's Day
November	28	Thursday	Thanksgiving Day
December	25	Wednesday	Christmas Day
January, 2014	1	Wednesday	New Year's Day

<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 #003-01-08-13

**SCHEDULE OF MEETING DATES FOR 2013**

BE IT RESOLVED that the Annual Schedule of Council Meetings for the Year **2013** is as follows:

**City Council Meetings and Workshop Meetings** will be held at the Municipal Court, Public Safety Building, 73 S. Van Brunt Street in Englewood.

All dates are **Tuesdays** and meetings **will begin at 7:30PM** unless otherwise noted.

<b>Council Workshop Meetings</b>	<b>Council Meetings</b>
-----	<b>January 8, 2013 (Reorganization) at 6:30PM</b>
<b>January 15, 2013</b>	<b>January 29, 2013</b>
<b>February 12, 2013</b>	<b>February 26, 2013</b>
<b>March 12, 2013</b>	<b>March 19, 2013</b>

April 9, 2013	April 23, 2013
May 7, 2013	May 28, 2013
June 11, 2013	June 25, 2013
July 16, 2013	July 23, 2013
August 13, 2013	August 27, 2013
September 17, 2013	September 24, 2013
October 8, 2013	October 22, 2013
November 12, 2013	November 26, 2013
December 10, 2013	December 17, 2013
January 7, 2014 (Reorganization) at 6:30PM	

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 #004-01-08-13

**DESIGNATE OFFICIAL NEWSPAPERS**

**BE IT RESOLVED** that the City of Englewood hereby designates the Bergen Record as the official newspaper of the City for the year 2013; and

**BE IT FURTHER RESOLVED** that it designates the Bergen Record to receive notices pursuant to the Open Public Meetings Act for the year 2013.

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 #005-01-08-13

**TEMPORARY BUDGET APPROPRIATIONS**

**WHEREAS**, 26.25% of the total appropriations in the 2012 Budget, exclusive of appropriations made for debt service and capital improvements, is \$14,246,000; and

**WHEREAS**, the temporary appropriations, as listed on Schedule A, comply with the requirements of N.J.S.A. 40A:4-19,

**NOW, THEREFORE, BE IT RESOLVED** that the 2013 temporary appropriations are hereby established and shall become effective as of January 1, 2013 and shall serve as the 2013 Temporary Budget until the 2013 Budget is introduced which shall then serve as the Temporary Budget until such time as the 2013 Official Budget is adopted.

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 #006-01-08-13

**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 or the Chief Financial Officer 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 2013.

<b><u>INVESTMENT DEPOSITORIES:</u></b>	<b><u>REGULAR BUSINESS DEPOSITORIES:</u></b>
<b>Primary:</b> New Jersey Cash Management Fund  <b>Alternatives:</b> 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 Bank of New Jersey	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 Bank of New Jersey

<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 #007-01-08-13

**PETTY CASH- REVOLVING FUNDS**

**BE IT RESOLVED BY** the Council of the City of Englewood that there is hereby created Petty Cash Revolving Funds in the amount shown after the names listed below and placed in the possession of the following:

Chief of Police	\$250
City Treasurer	\$250
Director of Health Services	\$ 50
Domestic Violence Response Team	\$500

**BE IT FURTHER RESOLVED** that said funds are to be used for the purpose of meeting emergency expenditures necessary in the performance of their departments; that a monthly statement for any expenditures be made to the Chief Financial

Officer and said funds shall be deposited with the Receiver of Taxes on or before December 31, 2013 and the City Treasurer is authorized to deposit with each person listed above the sum indicated.

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 #008-01-03-12

**PETTY CASH- DEPARTMENT OF PUBLIC WORKS**

**BE IT RESOLVED BY** the Council of the City of Englewood that the Director of Public Works is hereby authorized to pay from an Emergency Fund hereby created in the sum of Four Hundred Fifty Dollars (\$450.00). Said sum is directed to be placed under his control for emergency and other expenditures for small parts, equipment, etc., necessary to be purchased for the proper performance of his duties, and that the said superintendent keep a record of the amount paid to each person or firm, the date of payment, and service for which payment is made, and include the same on a City voucher, the amount so paid to be refunded to said Emergency Fund, said Fund shall be deposited with the Receiver of Taxes on or before December 31, 2013, and that the City Treasurer is authorized to deposit with the Director of Public Works the sum of Four Hundred Fifty Dollars (\$450.00).

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 #009-01-08-13

**DESIGNATION OF DEPOSITORIES- MUNICIPAL COURT**

**BE IT RESOLVED** by the City Council of the City of Englewood that PNC Bank, Englewood, New Jersey, shall be the depository for the various accounts of the City as listed below and the Municipal Court Administrator shall be the Custodian thereof, with all disbursements to be made by checks signed by the Municipal Court Administrator. Said accounts are as follows:

- Municipal Court - City of Englewood Regular Account
- Municipal Court - City of Englewood Bail Bond Account
- Municipal Court - City of Englewood Special Account
- Municipal Court - Installment Account

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 #010-01-08-13

**CHANGE FUNDS**

**BE IT RESOLVED** by the Council of the City of Englewood that there is hereby created Change Funds in the amounts shown after the names listed below and placed in the possession of the following:

- The Magistrate of the City of Englewood \$ 250.00
- The Chief Inspector of the City of Englewood \$ 25.00

The Registrant of Vital Statistics of the City of Englewood	\$ 40.00
Police Detective Bureau	\$ 40.00
The Receiver of Taxes of the City of Englewood	\$ 250.00
The City Clerk of the City of Englewood	\$ 50.00

**BE IT RESOLVED** that these funds shall be retained by each person listed above during the year 2013 and shall be deposited with the Receiver of Taxes on or before December 31, 2013; that these funds shall, at all times, be kept intact by each person listed above and shall be used for no other purpose than that of making change, and the City Treasurer is authorized to deposit with each person listed above the sum indicated.

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 #011-01-08-13

**DISBURSEMENT SIGNATURES**

**BE IT RESOLVED** by the Council of the City of Englewood, in accordance with the requirements of N.J.S.A. 40A:5-17b (2), that all monies disbursed by the City of Englewood for payment of claims and wages and salaries be made by checks signed by the City Manager and countersigned by the City Treasurer or the Chief Financial Officer of the City of Englewood as contained on vouchers approved by the Chief Financial Officer.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is authorized to disburse claims up to \$1,000,000 provided that said claims be presented within 90 days at a regularly scheduled Council meeting for approval.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer must cause the City's Financial Statements to be audited including said claims; and

**BE IT FURTHER RESOLVED** that the financial procedures and internal controls of the City of Englewood are hereby approved and shall be followed by all City departments and agencies, said procedures and internal controls are in writing and available in the office of the City Clerk.

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 #012-01-08-13

**AUTHORIZE DEVELOPER'S ESCROW PAYMENTS**

**WHEREAS**, the Englewood Planning Board and Englewood Board of Adjustment prepare and execute developers' agreements to memorialize the terms and conditions of construction projects, including property acquisition and other matters that may affect the City of Englewood; and

**WHEREAS**, the City of Englewood accepts developers' cash deposits to cover the cost of inspections and potential site work pursuant to NJSA 40:55D-53.2(a)(3) of the Developer Escrow Law (PL 1995, c.54); and

**WHEREAS**, from time to time disbursements are made from these developers' deposits;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the City Manager of the City of Englewood is hereby authorized to execute developers' agreements including redevelopment agreements on behalf of the City of Englewood; and

**BE IT FURTHER RESOLVED** that the City Manager, or his designee, is hereby authorized to release bonds, letters of credit, and escrow accounts and that the City Manager is authorized to make such disbursements pursuant to the New Jersey Developer Escrow Law and guidelines.

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 #013-01-08-13

**AUTHORIZE STATE CONTRACT PURCHASES**

**WHEREAS**, the City of Englewood has successfully participated in the State of New Jersey Cooperative Purchasing Program; and

**WHEREAS**, by participating in this program the City benefits from volume discounts provided by vendors for basic products such as janitorial supplies and fuel oil;

**NOW, THEREFORE, BE IT RESOLVED** that the City Manager, or his designee, is hereby authorized to execute purchase orders with vendors participating in the State of New Jersey Cooperative Purchasing Program or other duly established government purchasing cooperative; and

**BE IT FURTHER RESOLVED** that the City Manager continues to be authorized to execute purchase orders in the sum of \$36,000 or less for the purchase of goods and services which do not require competitive bidding.

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 #014-01-08-13

**AUTHORIZE AUCTIONS OF SALAVAGED VEHICLES AND CITY-OWNED EQUIPMENT**

**WHEREAS**, the City of Englewood comes into possession of junked vehicles and abandoned vehicles by reason of the failure of their owner to claim same, as well as other vehicles, office equipment, furniture, and other items of personal property no longer needed for public use; and

**WHEREAS**, the City Manager has recommended that junked or abandoned vehicles and other items of personal property no longer needed for public use be sold at public auction;

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Englewood that the City Manager is hereby authorized to sell junked or abandoned vehicles and other items of personal property no longer needed for public use with the following provisions:

- Such items will be sold by public auction to the highest bidder for cash following public advertisement therefore as required by law.
- Notice of proposed sales of abandoned vehicles which have remained unclaimed for more than 3 months will be given by certified mail to the owners of said vehicles and to the holders of any security interest filed with the Division of Motor Vehicles, as required by law.
- Vehicles and other personal property offered for sale may be inspected at various locations where said vehicles or personal property are stored.
- Minimum bids for junk or abandoned vehicles must be in the amount owed to the garage or tow company for storage costs incurred. In addition thereto, the public advertisements therefore, and for other items of personal property may specify a minimum bid price therefore as determined by the City Manager.
- The sale of junked or abandoned vehicles is conditioned upon the successful bidder, in addition to the bid, paying to the City of Englewood the sum of \$4.00 per vehicle for the Certificate of Title for each vehicle, plus the proportional share of

the cost of advertising.

6. The vehicle must be removed by the buyer with 4 days following approval of the purchase.
7. At any time prior to the sale, the owner or other person entitled to possession of a junked or abandoned vehicle following public advertisement therefore as required by law may reclaim possession of the vehicle upon payment of the reasonable cost of the removal and storage of the vehicle and any fine, penalty, or court costs assessed against him for a violation which gave rise to the seizure or taking possession of such vehicle.
8. All bids received in excess of \$5,000 shall be subject to the approval thereof by the City Council of the City of Englewood. All other bids shall be subject to the approval of the City Manager or his designee.
9. The City expressly reserves the right to reject any and all bids as provided by law.
10. The City Clerk, or her designee, shall conduct the public sale and shall cause the required notices and advertisements to be provided and published as required by law.

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 #015-01-08-13

**AUTHORIZE APPLICATION FOR MUNICIPAL TONNAGE RECYCLING GRANT**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City of Englewood hereby endorses the submission of a Municipal Recycling Tonnage Grant Application for the year 2012 to the New Jersey Department of Environmental Protection, Office of Recycling and designates the Director of the Department of Public Works to ensure that the said application is properly filed.

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 #016-01-08-13

**AUTHORIZE APPEAL OF CERTAIN TAX ASSESSMENTS**

**WHEREAS**, the City Solicitor has requested authority to appeal certain assessments contained on the 2013 Tax List; and

**WHEREAS**, said actions are necessary to correct the assessment on various parcels of real property, where the assessment does not constitute the ratio of true value; and

**WHEREAS**, the City Solicitor has requested authority to file any and all pleadings before the Bergen County Board of Taxation or the Tax Court; and

**WHEREAS**, the City Solicitor has requested the authority to negotiate stipulations of settlement before the Bergen County Board of Taxation or Tax Court on all appeals and/or pleadings filed against an assessment on the 2013 Tax List by either the City of Englewood or by private property owners;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that:

1. The City Solicitor is hereby authorized to appeal to the Bergen County Board of Taxation or Tax Court for correction of assessments contained on the 2013 Tax List on such parcels of real property as deemed appropriate, subject to the approval of the City Solicitor; and

2. The City Solicitor is hereby authorized to file and prosecute any and all appeals and/or pleadings with the Bergen County Board of Taxation or Tax Court as deemed appropriate for the 2013 tax year; and

3. The City Solicitor is hereby authorized to negotiate, upon consultation with and the consent of both parties, stipulations of settlement on behalf of the City of Englewood for any and all appeals and/or pleadings filed before the Bergen County Board of Taxation or the Tax Court for the 2013 tax year and if the Tax Assessor and City Solicitor are in disagreement as to settlement, the City Manager shall make the final decision as to the City's position; and

4. The City Solicitor is hereby authorized to execute a stipulation of settlement on behalf of the City of Englewood for any and all appeals and/or pleadings filed before the Bergen County Board of Taxation or the Tax Court for the 2013 tax year.

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 #017-01-08-13

**AUTHORIZE APPLICATION FOR DEP PERMITS**

**WHEREAS**, the Division of Water Resources and the Division of Coastal Resources of the New Jersey Department of Environmental Protection (DEP) now requires that each application for a sanitary sewer extension or stream encroachment permit be accompanied by a resolution authorizing the City Manager to sign the necessary application forms; and

**WHEREAS**, from time to time the City Manager is required to sign off on applications for sanitary sewer extension and stream encroachment permits in the process of construction within the City of Englewood; and

**WHEREAS**, a general resolution of authorization would, therefore, speed up the process of compliance as set out by the DEP;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to sign any and all forms of application required by the DEP respecting applications for sanitary sewer extension and stream encroachment permits within the City of Englewood.

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 #018-01-08-13

**ESTABLISH INTEREST FOR DELINQUENT TAXES**

**BE IT RESOLVED BY THE CITY COUNCIL** of the City of Englewood that, pursuant to the provisions of N.J.S.A. 54:4-67, the rate of interest to be charged for the non-payment of taxes, sewer taxes, or assessments shall be 8% on the first \$1,500 and 18% on any amount in excess of \$1,500 to be calculated from the statutory due date until actual payment.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL** that in addition to the interest provided above, N.J.S.A. 54:4-67 allows on all delinquencies in excess of ten thousand (\$10,000.00) dollars and which are not paid prior to the end of the fiscal year, the Tax Collector to also collect a penalty of six (6) percent of the amount of the delinquency in excess of ten thousand (\$10,000.00) dollars.

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 #019-01-08-13

**AUTHORIZE CERTIFICATIONS OF PROJECT COMPLETIONS**

**WHEREAS**, the City of Englewood requires performance bonds, letters of credit, or cash bonds for all construction projects and development projects to ensure project completion; and

**WHEREAS**, from time to time the City Engineer is required to certify that a project has been completed in accordance with plans and specifications and/or the Developer's Agreement; and

**WHEREAS**, a general resolution of authorization would, therefore, expedite the process of compliance;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Engineer is hereby authorized to sign any and all forms of certification of completion and to release bonds for construction and development projects within the City of Englewood.

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 #020-01-08-13

**AUTHORIZE MUTUAL AID AGREEMENTS**

**WHEREAS**, the City of Englewood has heretofore participated in various Mutual Aid/Special Operations Systems for Fire Response and Protection; and

**WHEREAS**, the City Council finds, on the advice of the City Manager and the Fire Department of the City of Englewood, that it is in the best interest of the City of Englewood to continue to participate in the aforementioned programs; and

**WHEREAS**, the entering into such agreements have heretofore been authorized pursuant to Ordinance Number 82-45;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, pursuant to N.J.S.A. 40A:14-156.1 that the City Manager is hereby authorized to execute any agreements or documents necessary for participation in "Mutual Aid" programs.

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 #021-01-08-13

**AUTHORIZE THE CANCELLATION OF SMALL TAX BALANCES**

**WHEREAS**, N.J.S.A. 40A:5-17.1 provides that a municipality may authorize the cancellation of tax delinquencies or overpayments of less than ten dollars (\$10.00); and

**WHEREAS**, the Tax Collector would be the individual responsible to authorize such cancellation; and

**WHEREAS**, the Tax Collector would prepare a list of the property owners, block & lots along with the amount due or

overpaid; and

**WHEREAS**, this list would be affixed to a resolution cancelling these balances which would each be less than \$10.00;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the Tax Collector is hereby authorized to cancel delinquencies or refunds less than \$10.00; and that a certified copy of this resolution be provided by the Municipal Clerk to the Tax Collector and the Chief Financial Officer.

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 #022-01-08-13

**APPOINT PUBLIC AGENCY COMPLIANCE OFFICER**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, do hereby appoint Timothy Dacey as Public Agency Compliance Officer for the City of Englewood, for a one (1) Year Term commencing January 1, 2013 and terminating December 31, 2013.

**BE IT FURTHER RESOLVED** that the City Clerk is authorized to forward a certified copy of this resolution to the Department of Treasury, State Affirmative Action Office.

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 #023-01-08-13

**APPOINT CITY SOLICITOR**

**WHEREAS**, the City of Englewood requires professional legal services for the 2013 operating year; and

**WHEREAS**, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to William J. Bailey, Esquire of Huntington Bailey LLP with offices at 373 Kinderkamack Road, Westwood, New Jersey 07675, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

**WHEREAS**, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2013 operating year: and

**WHEREAS**, William J. Bailey, Esquire has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to William J. Bailey, Esquire to provide professional legal services at a rate of \$150.00 per hour for services not covered by the retainer, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and William J. Bailey, Esquire for a period of one year beginning January 1, 2013 and ending December 31, 2013.

**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.

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 #024-01-08-13

**APPOINT CITY PHYSICIAN**

**WHEREAS**, the City of Englewood is in need of the services of a City Physician on an as needed basis with compensation stipulated as follows for the specified services; and

- Respond to police calls for people who die without a physician in attendance (\$200 per call).
- Respond to police calls for assistance in situations involving murder or suicide (\$200 per call).
- Supervise and attend two flu clinics (\$500 per day) and issue standing orders for the Public Health Nurse to administer vaccines to adults.
- Conduct pre-employment physicals at his office for the City. These physicals shall include a drug screening. (\$200 per physical).
- Provide additional health services, as needed (\$150 per hour).

**WHEREAS**, the City Manager has determined that the value of this contract will not exceed \$3,000 in the 2013 operating year: and

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment, pursuant to P.L. 2004 c. 19, is confirmed commencing January 1, 2013 through December 31, 2013 and the City Manager is hereby authorized to execute the appropriate appointment letter and contract:

City Physician

Dr. Robert Adair

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 #025-01-08-13

**APPOINT MUNICIPAL AUDITOR**

**WHEREAS**, the City of Englewood requires the services of a Municipal Auditor for the 2013 operating year; and

**WHEREAS**, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Wiss & Company, LLP with offices located at 485C Route 1 South, Suite 250, Iselin, NJ 08830, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

**WHEREAS**, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2013 operating year: and

**WHEREAS**, the firm has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, State of New

Jersey that a professional services contract is hereby awarded to Wiss & Company, LLP to provide Municipal Auditor Services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Wiss & Company, LLP;

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

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

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 #026-01-08-13

**APPOINT MUNICIPAL BOND COUNSEL**

**WHEREAS**, the City of Englewood requires the services of professional bond counsel for the 2013 operating year; and

**WHEREAS**, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. with offices at 5 Becker Farm Road, Roseland, NJ 07068, pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

**WHEREAS**, the City Manager has determined that the value of this contract will exceed \$17,500 in the 2013 operating year: and

**WHEREAS**, the firm has completed and submitted a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. to provide professional bond counsel services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C.;

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

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

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			



**ADJOURN: 8:10PM**

Motion: Algrant  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk