

City of Englewood  
City Council Meeting Minutes  
September 24, 2013

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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 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/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 #193-09-24-13

**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:

Contract Negotiations and Acquisition of Real Property

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.
- (X) 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.

<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			

The Council entered into Closed Session at 6:42PM and concluded at 7:19PM. The Council then reconvened in open session.

RESOLUTION #179-09-24-13

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL WORKSHOP MEETING  
September 17, 2013

COUNCIL MEETING  
August 27, 2013

CLOSED SESSION MINUTES  
July 16, 2013  
July 23, 2013  
August 27, 2013

<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 #180-09-24-13

**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 \$6,562,306.45.

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

Mayor and Council comments on Resolution #180-09-24-13:

- Councilman Skurnick wants a to-date summary of the total costs incurred at the community garden located at Genesee and Lafayette.

Communications from the Mayor/Council Member

### Comments from the City Manager:

- The Best Practices Worksheet is due October 15th so the Mayor and Council will receive it next week and it will be reviewed at the October 8<sup>th</sup> Workshop meeting. Mayor Huttle announced that he is trying to schedule a joint meeting with the Board of Education by the end of the year.
- Fire Fighters' exam is this Saturday, September 28<sup>th</sup> at Community Baptist Church and almost 300 applicants are signed up to take it.
- PSE&G will begin work on the substation next week.
- Fall Recreation Program sign ups are ongoing and programs will begin October 7<sup>th</sup>.
- New DPW Director will be starting on October 1<sup>st</sup>.
- Auditors met with the Department Heads today to review the comments and corrective action plan.
- There will be a NJDOT Public Information session here at the Municipal Court on Wednesday, October 9<sup>th</sup> from 6:00PM to 8:00PM for the Route 4 over Grand Avenue Bridge Replacement Program.
- Resolution #188, Award of Overpeck Creek Channel Wall Reconstruction is being pulled from tonight's agenda. Costs came in higher than anticipated so we are researching additional funding.

### Presentation- 2012 Audit, Wiss & Company:

- Tim Dacey introduced the Auditors.
- Auditor Scott Clelland presented.
  - Thanked Tim Dacey, Ron Amorino and staff for their assistance.
  - Good audit, overall there was nothing significant found regarding any issue and the findings do not reflect any material deficiencies.
  - Discussed new State standards that were implemented this year especially in regard to the Fixed Asset Inventory.
  - City is in good financial health with a good Fund Balance (Surplus).
  - City has progressively seen increases in the tax collection rate.
  - Property taxes decreased from 2012 to 2013.
  - The City proactively went after FEMA money after Hurricane Sandy and the records provided by Deputy Chief Suffern/ OEM were excellent and FEMA is extremely pleased.
  - In April 2012 the City confirmed the Special Assessment for Route 4 and that was important.
  - The Liberty School Agreement with the Board of Education was finalized.
  - The outstanding taxes from 2010 were canceled.
- Mayor and Council comments:
  - Mayor Huttle asked the auditor to explain the Route 4 Special Assessment and Bill Bailey explained the legal decisions.
  - Councilman Cohen asked if the Fund Balance is the same as Surplus.
  - Councilman Hamer asked what areas the City can improve on and how can the Mayor and Council help to ensure that improvements are made. The Auditor explained that Purchasing was one and suggested that the Mayor and Council ask for quarterly updates.
  - Councilman Skurnick confirmed that Fund Balance and Surplus is the same thing. Asked if an analysis was performed on this and it was and Schedule A1 reflects that. Questioned what contributes to the Surplus. The auditor explained that collection of excess revenue is placed in to the surplus but the State does not allow municipalities to budget more revenue than what was collected in the prior year and that is reflected on Schedule A2.
  - Mayor Huttle spoke about the long list of deficiencies that existed when he took office in 2010 and how he made it a priority to improve on this. What is the current amount of Bond Anticipation Notes (\$34.4 million dollars), the Mayor would like a Bond Consultant to evaluate if this debt should be converted to long term bonds. The auditor explained that many of the BANs are nearing their expiration date such as Liberty and Lincoln Schools and the City should take action while the rates are still favorable.
  - Councilman Forman asked if only Purchasing was a problem. The Auditor explained that the Fixed Asset Inventory is a real problem and is currently being addressed.

ORDINANCE #13-14

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-19  
SCHEDULE XI OF THE TRAFFIC AND PARKING ORDINANCE  
OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, Chapter 25, Section 25-19 Schedule XI sets forth time limited parking on certain streets within the City of Englewood; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-19, Schedule XI is hereby amended as follows:

Chester Place — North ————— 2 hours — 8:00 a.m. to 5:00 PM except Saturday — Entire length

Chester Place South  
 [Added 11-27-2012  
 by Ord. No. 12-26]

15 minutes

All day including Sunday  
 and legal holiday

From a point 70 feet  
 east of the eastern  
 curbline of Grand  
 Avenue to a point 20 feet east thereof

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

FIRST READING DATE: September 24, 2013

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

Public Comment on Agenda Items:

- Sandy Greenberg 449 Liberty Road:
  - Spoke about resolution #184 and asked if it had anything to do with the draining of the pool.

RESOLUTION #181-09-24-13

**EXTENSION OF CONTRACT TO PROVIDE EMS SERVICES**

**WHEREAS**, on November 15, 2011, the City Council adopted Resolution #240-11-15 -11 authorizing a contract for EMS services to Englewood Hospital and Medical Center (EHMC), located at 350 Engle Street, Englewood, New Jersey 07631; and

**WHEREAS**, the contract that was awarded in the aforementioned resolution was for a two-year term commencing January 1, 2012 through December 31, 2013 with an option to renew for an additional two (2) years; and

**WHEREAS**, the intent is to extend the award of this contract for an additional two (2) year term commencing January 1, 2014 through December 31, 2015 with the terms, compensation, and scope of work as originally outlined in Resolution #240-11-15 -11; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, State of New Jersey that a two-year contract extension is hereby awarded to Englewood Hospital and Medical Center (EHMC) to provide EMS Services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Englewood Hospital and Medical Center (EHMC) to provide the above referenced scope of work for EMS services as outlined in Resolution #240-11-15 -11.

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 #182-09-24-13

**EXTENSION OF PROFESSIONAL SERVICES CONTRACT WITH BUSINESS SYSTEMS UNLIMITED, INC.**

**WHEREAS**, on February 26, 2013, the City Council adopted resolution # 052-02-26-13 authorizing a contract for professional services with Business Systems Unlimited, Inc. to provide Information Technology (IT) services; and

**WHEREAS**, the funds authorized by this contract were not to exceed \$30,000; and

**WHEREAS**, the need for these professional services is ongoing and has been augmented to include:

- A departmental computer replacement program at the rate of three (3) per month
- The replacement of servers for City Hall, the Police Department and the Health Department
- Upgrades in the Police Department to include cameras and other related peripherals
- Ongoing computer diagnostics including but not limited to viruses, printer issues, etc.; and

**WHEREAS**, because of the age of the City's current equipment and the need for replacement equipment these costs have exceeded the original contract value as awarded in the aforementioned resolution; and

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

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Englewood, that Business Systems Unlimited, Inc. is hereby continued as Information Technology (IT) services provider in connection with the above referenced need at an hourly rate of \$125 for all services rendered plus disbursements and costs at a total cost not to exceed an additional sum of \$70,000 for the remainder of the 2013 operating 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 #183-09-24-13

**CERTIFYING REVIEW OF ANNUAL AUDIT BY GOVERNING BODY**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the City Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations;

**WHEREAS**, the members of the City Council have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the City Council; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the City Council have received and have familiarized themselves with, at least, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and required affidavit to said Board to show evidence of said compliance; and

**BE IT FURTHER RESOLVED** that the Corrective Action Plan prepared by the Chief Financial Officer, is hereby approved and the Chief Financial Officer shall implement the Plan.

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 #184-09-24-13

**EXTENSION OF CONTRACT FOR POOL MANAGEMENT SERVICES**

**WHEREAS**, the City of Englewood awarded a contract to the YWCA of Bergen County to provide Pool Management Services for the Mackay and Tryon Pool for the 2012 and 2013 operating seasons; and

**WHEREAS**, on the recommendation of the City Manager and the Recreation Director, the City Council would like to extend the award of this contract for such services for the 2014 and 2015 operating seasons to the YWCA of Bergen County with offices located at 2 University Plaza, Suite 208, Hackensack, New Jersey 07601; and

**WHEREAS**, the City Manager has determined that the value of this contract will not exceed \$105,094 in the 2014 operating season and \$105,094 in the 2015 operating season to provide services as previously outlined in Resolutions 070-02-21-12, 094-04-03-12 and 116-05-28-13; 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 the YWCA of Bergen County to provide Pool Management Services for the 2014 and 2015 operating seasons, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and the YWCA of Bergen County.

**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 #185-09-24-13

**ESTABLISHING A NEW PETTY CASH FUND**

**WHEREAS**, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county of municipality by application and resolution, and,

**WHEREAS**, it is the desire of the City of Englewood, County of Bergen to establish such a fund for the Fire Department in the amount of \$200.00; and

**WHEREAS**, the custodian for this fund is Fire Chief Gerald Marion; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Englewood hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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 #186-09-24-13

**RESOLUTION OPPOSING UNITED WATER RATE INCREASE**

**WHEREAS**, the City of Englewood and other municipalities each received a notice of filing of petition of United Water New Jersey for approval of an increase in rates for water service and other tariff changes from United Water by fax and dated August 5, 2013; and

**WHEREAS**, the Company is requesting an increase in base revenues of \$29,994,809 or approximately 14.69% above the annual level of revenues for the post-test year period ending November 30, 2013; and

**WHEREAS**, the notice further states "If this proposal were to be adopted without modification an average residential customer using 7480 gallons of water per month will see his/her bill increase from \$46.42 to \$54.75, an increase of \$8.33 per month, or approximately 17.94%: and

**WHEREAS**, these rates, if approved would be an exorbitant increase and burden on our municipal budget and our tax payers far exceeding the 2% mandated Cap of municipal budget would be particularly onerous on the residential and business community in this most difficult economic environment; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and the City Council of the City of Englewood request the Board of public Utilities (BPU) to consider the hardship and the impact on all government agencies, businesses and residents; and

**BE IT FURTHER RESOLVED**, that the Mayor and the City Council of the City of Englewood strongly opposes the requested rate increase and urges the BPU to reject this rate increase as exorbitant; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be sent to the Governor, State Legislators, Board of Public Utilities and the surrounding municipalities.

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 #187-09-24-13

**AUTHORIZE INTERLOCAL MUTUAL AID HEALTH SERVICES AGREEMENT BETWEEN THE COMMUNITIES OF ENGLEWOOD AND BERGENFIELD FOR PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO PUBLIC HEALTH THREATS AND EMERGENCIES**

**WHEREAS**, the communities of Englewood and Bergenfield wish to ensure an adequate and appropriate level of response for public health preparedness and response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies, and in accordance with the requirements of the New Jersey Department of Health's Local Core Capacity Infrastructure for Bioterrorism Preparedness Grant; and

**WHEREAS**, the Englewood Health Department and Bergenfield Health Department agree to provide each other with mutual aid in the form of human resources, materials, supplies, equipment, etc. to support the public health response to the incident, contain the threat, and protect the public's health in the event of a bioterrorist attack, outbreak of infectious disease, or other public health threat, emergency, or incident; and

**WHEREAS**, mutual aid shall be requested and provided for large-scale incidents or other incidents that tax the resources of the impacted, local health department, or that otherwise would result in an inadequate, public health response;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the City Manager is hereby authorized to execute, and the City Clerk to attest, an Interlocal Mutual Aid Health Services Agreement with the Borough of Bergenfield to provide mutual assistance in a public health emergency.

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 #188-09-24-13: AUTHORIZING AWARD OF CONTRACT FOR OVERPECK CREEK CHANNEL WALL RECONSTRUCTION, PROJECT NUMBER 111219 (Pulled from the Agenda)

RESOLUTION #189-08-24-13

**REFUND DUE TO TAX OVERPAYMENT**

**WHEREAS**, it has been determined by the Tax Collector that the taxpayer for Block 1104, Lot 12 is entitled to a tax overpayment refund, and;

**WHEREAS**, it is the desire of the City Council to have this overpayment returned to the respective taxpayer;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, the Chief Financial Officer be and he is hereby authorized to refund the overpayment of property taxes in the amount of \$ 17,341.10 to Lester Samuels, 115 Chestnut Street, Englewood, NJ 07631.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Tax Collector and Finance 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 #190-08-24-13

**REFUNDS DUE TO STATE TAX APPEALS**

**WHEREAS**, a judgment has been received from the Tax Court of New Jersey for the following Block and Lots in the City of Englewood; and

**WHEREAS**, the said judgments have created and overpayment on the tax account listed for said years;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the Chief Financial Officer be and he is hereby authorized to refund overpayment of the property taxes in the amount of \$70,979.66 for said years due to successful tax court judgments.

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 #191-09-24-13

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR OUTSIDE EMPLOYMENT OF OFF-DUTY CITY OFFICERS AS PER N.S.J.A. 40A:4-39**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:4-39. provides for receipt of Outside Employment of Off-Duty City Officers by the City to provide for the operating costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Outside Employment of Off-Duty City Officers are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The City of Englewood Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Outside Employment of Off-Duty City Officers as per N.J.S.A. 40A:4-39.

2. The City Clerk of the City of Englewood, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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 and Council comments on Resolution #191-09-24-13:

- Councilman Cohen asked for an explanation of this resolution. Ron Amorino explained that this is money collected from third parties which goes back to the Police Department for extra duty pay and the auditors are requiring that we adopt this resolution so we are in compliance. This is a housekeeping item.
- Councilwoman Algrant clarified that this makes everything legal.
- Councilman Skurnick said that he would be voting "No" on this resolution on principle because he does not like that PSE&G is hiring Englewood and Tenafly Police Officers and having the City do the paperwork. He is questioning the process.

Resolution #192-09-24-13

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
FOR CHARITABLE CAUSES PURSUANT TO N.J.S.A. 40A:5-29**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29, provides for receipt of bequests, legacies and gifts termed Charitable Causes by the city to provide for the operation costs to administer this act; and

**WHEREAS**, N.J.S.A. 40A:5-29 provides the dedicated revenues anticipated from the Charitable Causes are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The City of Englewood Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Charitable Causes as per N.J.S.A. 40A:5-29.
2. The City Clerk of the City of Englewood, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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			

**Public Session:**

- Elle Kelly 350 Shepard Avenue:
  - Spoke about Resolution #191 and the police doing overtime work and moonlighting.
  - Spoke about the Route 4 project.
- Lucy Walker 363 Washington Place:
  - Commented on the notice that came in the 4<sup>th</sup> quarter tax bills and that the tone and wording of it upset her. Asked if commercial properties received them also and they did.
  - Spoke about putting in place by ordinance hiring preferences for Englewood residents for the Police and Fire Departments. Commented that it is only illegal to make residency a requirement. Gave a copy of the Teaneck ordinance to the City Clerk to place in the record.
- Ira Marlow 33 Honeck Street:
  - Complained about the City accelerating the tax sale and holding two (2) in one year which is placing an undue burden on businesses and property owners. Questioned the property assessments.

- Curtis Caviness 41 E. Forest Avenue:
  - Found the audit report very interesting especially the high Fund Balance. Why could the trolley operation not have been continued? Money is not a problem in Englewood but how we spend it is.
  - Spoke about a photo he took of a sign regarding Video Surveillance on Palisade Avenue and asked if there is a report on this.
  - Asked if the City has a report from the YWCA in regard to the pools and what do they do.
  - Who is responsible for the opening and closing of the pools?
  
- Rosario D’Rivera Rosie’s Weenie Wagon:
  - Operates a mobile food truck in Englewood and stated that she has been operating in violation of the City ordinances.
  - Asked if the City considers her a small business.
  - Asked for the City’s patience and indulgence while she puts together a route.
  - The Ordinances were written in 1976 and the Mayor and Council review them and possibly update them for the current times.
  
- Crystal Brown 328 Howell Road:
  - Spoke about the need for those on the dais to be ore courteous to residents when they get up to speak.
  - Followed up with what the previous speaker had said. Commented that both Rosie and previously Frank were at this location. Rosie is getting pushed back by gentrification. Said that gentrification and Master Plan sound an awful lot alike.
  
- Sandy Greenberg 449 Liberty Road:
  - Agrees with what Crystal Brown and spoke about what the disabled can add to society.
  - Commented that she is very conflicted about cameras on Palisade Avenue; what the reason we need them is and what would be their effect.
  - Asked about the results of the study done on Millers Pond. Ken Albert explained that no study was done and one is not needed. The pond needs to be dredged.
  - Spoke about the new CVS putting in opaque glass on the front windows and that the Planning Board needs to revisit the sign and façade ordinances.

**ADJOURN: 9:05 PM**

Motion: Cohen  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk