

City of Englewood
City Council Meeting Minutes
December 17, 2013

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 (8:10PM)
Council member Michael Cohen
Council member Eugene Skurnick
Council member Wayne Hamer
Council member Lynne Algrant
Mayor/Council President Frank Huttie III (8:30PM)
City Attorney William Bailey
City Manager Timothy Dacey
City Clerk Lauren Vande Vaarst

President Pro Tempore Algrant 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 #251-12-17-13

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING MINUTES
October 22, 2013

COUNCIL WORKSHOP MINUTES
October 8, 2013
November 12, 2013

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			

RESOLUTION #252-12-17-13

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 \$877,284.50.

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			

Communications from the Mayor/Council Member

Comments from the City Manager:

- Tax Sale is Thursday, December 19th and currently there are 226 properties on the list with approximately 50 of those condos that will be coming off the list so less than 175 should be on list for \$1,062,000.
- Arena update; flooring was installed today; netting will be done in two weeks. There will be a soft, soft opening the weekend after Christmas. The grand opening will be in early January 2014. Small bleachers have been removed, large ones have been boarded up and the ice is good as per Phil Vogel who skated on it today. Pennetta is completing their punch list. Will start sharpening the skates on Thursday. Snack bar operator will make improvements at the snack bar and bring in a refrigerator, pay \$500 per month in rent and he will be responsible for all of his inventory and expenses.

ORDINANCE #13-16

AN ORDINANCE AMENDING CHAPTER 311 PEDDLING, SOLICITING AND TRANSIENT MERCHANTS, ARTICLE I PEDDLING AND SOLICITING, SECTION 311-1 THROUGH 311-12 OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, the City of Englewood encourages the growth of mobile retail food vendors within the City of Englewood while regulating the side effects of this growing industry, such as parking, traffic and waste disposal; and

WHEREAS, this chapter seeks to regulate mobile retail food vendors through the annual issuance of licenses and permits. This chapter will assist the City with keeping record of mobile retail food vendor business within the City. License and permit fees will cover the cost of enforcement and administrative duties; and

WHEREAS, this chapter limits the proximity of mobile food trucks to brick-and-mortar restaurants to secure safe and adequately spaced sidewalks in case of a fire, flood, and other natural or man-made disaster; and

WHEREAS, this chapter seeks to limit the interaction between uses which are incompatible in character. While serving similar purposes, mobile food trucks and brick-and-mortar restaurants function separately and are not complimentary in nature.

WHEREAS, this chapter seeks to protect the character of stable commercial areas and to provide sufficient space in appropriate locations for each use. The City seeks to locate mobile food trucks in areas to better serve mobile populations. The City seeks to promote a desirable visual environment through limiting the interaction of each respective use.

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

Section 1. Scope.

The provisions of this chapter shall apply to mobile food operations engaged in the business of cooking, preparing, and/or distributing food or beverage from mobile retail food vendors on private property within the City of Englewood.

Section 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated: **MOBILE RETAIL FOOD VENDOR** Any movable restaurant or retail food establishment in or on which food and beverage are transported, stored, or prepared for retail sale or given away at temporary locations. The term "mobile retail vendor" shall include and incorporate the term "mobile retail food vendors," as defined in Chapter 13 of the Englewood Health Code. Only the following mobile units shall be allowed within the City limits for use as a mobile retail food vendor, none of which shall exceed 35 feet in length:

A. MOBILE RETAIL MOTORIZED FOOD VENDOR — A food establishment that is located upon a motorized vehicle where food or beverage is cooked, prepared and served for individual portion service. Such food vendors comply with this chapter and all requirements of this chapter, as well as any other applicable section of this Code. Shall also be known as "mobile retail food vendors".

B. MOBILE RETAIL PRE-PACKAGED FOOD VENDORS — A food establishment that is located upon a motorized vehicle where pre-packaged food or beverage is served for individual portion service. Mobile retail pre-packaged food vendors shall be subject to Chapter 311, and shall be exempt from the regulations of this chapter.

Section 3. Hours of operation.

A. Sunday through Saturday, mobile retail food vendors shall operate between the hours of 7:00 a.m. and 6:00 p.m.

Section 4. Transfer of license and/or permit prohibited; exceptions.

A. No person holding a mobile retail food vendor license and/or permit shall sell, lend, lease or in any manner transfer any interest in a mobile retail food vendor license and/or permit.

Section 5. Location and Conditions.

Mobile Food Vendors shall only be permitted in the following location:
 The office/industrial zone south of Route 4 on private property. There shall be no mobile food vendors parked on public property or streets. There shall be no more than one mobile food vendor permitted on any property at any time.

Section 6. Operation.

A. Any mobile retail food vendor being operated without a valid mobile retail food vendor license and/or permit shall be deemed a public safety hazard and may be ticketed and impounded.

B. Mobile vendor licensees shall be required to display the mobile retail vendor license and/or permit prominently when located in a permitted location. Being the lawful holder of a City of Englewood mobile vendor license and/or permit shall not be a valid defense to a citation for failure to prominently display the license in violation of this chapter.

Section 7. Enforcement.

Unless otherwise specified herein, this chapter shall be enforced by any Code Enforcement Officer, Parking Enforcement Officer, the Englewood Police Department, and/or the Health Officer.

Section 8. License fees and permits.

A. Mobile retail motorized food vendor business license. The application fee for a license or any renewal of a license granted by the City shall be \$100. The cost of the annual Health Certificate shall be included in this fee. The application shall include the proposed location(s) at which the applicant seeks to operate. Only one permit shall be issued per property (i.e. Block and Lot).

B. Mobile retail motorized food vendor parking permit. Mobile retail motorized food vendors operating within the City of Englewood are required to purchase an annual permit. Permits are available as follows:

Time Length (weekly)	Annual Amount
7 days	\$250

(1) The permit shall be renewable on an annual basis.

Section 9. Supplemental regulations.

A. Mobile retail food vendors shall not exceed 35 feet;

B. Mobile retail food vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.

C. The City reserves the right to temporarily move any mobile retail food vendor to a nearby location for emergency purposes as determined in the sole discretion of the City.

D. All licensees and permittees shall comply with all applicable state statutes, all applicable City of Englewood ordinances, and any other law or regulation which may be applicable under the given circumstances.

E. Mobile retail food vendors shall comply with all ordinances, laws and regulations relating to noise in effect by the City of Englewood (Editor's Note: See Ch. 133, Noise Control).

Section 10. Violations and penalties.

Unless otherwise specified herein, any person violating any provision of this chapter shall, upon conviction thereof before the Municipal Court, be subject to a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days, or both. The amount of such fine and/or imprisonment shall be determined by the sound discretion of the Municipal Judge. In addition to the aforementioned penalties, and as provided for herein, violations of this chapter may subject the license to suspension or revocation as provided for herein.

FIRST READING DATE: December 3, 2013

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

DATE PUBLISHED IN THE RECORD: December 6, 2013

DATES PUBLIC HEARINGS HELD: December 17, 2013

DATE SECOND READING HELD: December 17, 2013

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

Motion made by Councilman Skurnick, Motion was not seconded.

Public Hearing on Ordinance #13-16:

- Elle Kelly 350 Shepard Avenue:
 - Feels it is a bad policy to go after one vendor and the City should just leave it alone.

Mayor and Council comments on Ordinance #13-16:

- Mr. Bailey spoke about a letter which raised constitutional issues with the ordinance as proposed. He then laid out some options to the Council.
- Councilwoman Algrant asked if the ordinance could be reintroduced in 2014 and it can be.
- Councilman Hamer said that in light of what Mr. Bailey said the Council needs to review the ordinance and suggested that we reintroduce in 2014.
- Councilman Skurnick feels that we should adopt this ordinance tonight and amend it at a later date. Wants something on the books now not three months from now.
- Councilwoman Algrant spoke about the significant issues raised in the letter and that we do have ordinances on the books but they require the vendor to move. Does not want us to open ourselves to litigation. Feels that we can adjust proposed ordinance in first quarter of 2014.
- Mr. Bailey explained that parties have 45 days to challenge an ordinance once it is adopted.
- Mr. Dacey said that we tried to help her and she objected to every change that we made.

Vote to place Resolution #264 on the Agenda:

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			

Public Comment on Agenda Items:

No one from the Public came forward to speak

RESOLUTION #253-12-17-13

AUTHORIZE BUDGET TRANSFERS FOR BUDGET YEAR 2013

WHEREAS, N.J.S.A. 40A:4-58 provides that budget transfers must take place prior to December 31, 2013 for the 2013 Budget; and

WHEREAS, there is a need for budget transfers due to unforeseen circumstances and the need to provide funds to cover imminent obligations; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that the Chief Financial Officer is hereby authorized to make transfers from Current Fund Budget accounts for the year 2013 where a deficit would possibly occur on or before December 31, 2013 pursuant to and in accordance with provisions in N.J.S.A. 40A:4-58 and according to the schedule attached hereto.

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			

**AWARD PROFESSIONAL SERVICES CONTRACT TO L2 GROUP LLC
FOR DESIGN OF NEW TRAFFIC CONTROLLERS ON PALISADE AVENUE
(CENTRAL BUSINESS DISTRICT)**

WHEREAS, the City of Englewood requires a consultant to provide professional services for the design of new traffic controllers on Palisade Avenue (Central Business District). The scope of work will include:

- Data Collection, not to exceed \$4,000.
- Intersection Analysis, not to exceed \$2,000.
- Preliminary and Final Design Plans, not to exceed \$40,000.
- Meetings/Presentations, not to exceed \$2,000.

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 L2 Group LLC, located at 160 Hillcrest Avenue, Leonia, New Jersey 07605 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 the value of this contract for the scope of services as stated above and in the attached proposal, is not to exceed a total of \$48,000;

WHEREAS, L2 Group 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

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 L2 Group LLC, to provide professional services for the design of new traffic controllers on Palisade Avenue (Central Business District);

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.

Funding for this project is available from the following source:

- Ordinance 13-06 (7)

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			

EXTENSION OF MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the City Council of the City of Englewood, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the City Council was approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal rather than calendar year cycle; and

WHEREAS, funding has been made available to Englewood Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind grant requirement for the extension funding.

NOW, THEREFORE, BE IT RESOLVED that the City of Englewood does hereby authorize the submission of the grant extension for the Englewood Municipal Alliance grant in the amount of:

DEDR	\$22,919.00
Cash Match	\$5,729.00
In Kind	\$17,189.00

The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

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			

RESOLUTION #257-12-17-13

MUNICIPAL ALLIANCE FISCAL GRANT CYCLE JULY 1, 2014 – JUNE 30, 2015

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the City Council of the City of Englewood, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen.

NOW, THEREFORE, BE IT RESOLVED that the City of Englewood, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Englewood Municipal Alliance grant for fiscal year 2014-2015 in the amount of:

DEDR	\$15,279.00
Cash Match	\$3,819.00
In-Kind	\$11,459.00

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance audit requirements.

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			

RESOLUTION #258-12-17-13

**RESOLUTION TERMINATING CONTRACT
FOR THE COLLECTION OF MUNICIPAL COURT DEBT**

WHEREAS, on June 25, 2013 adopted Resolution #144-06-25-13 awarding a contract to Steven Tarta, located at 61 N. Maple Avenue, Suite 305, Ridgewood, New Jersey 07450 for the purpose of collecting outstanding municipal court debt; and

WHEREAS, Steven Tarta has requested that this contract for the collection of outstanding municipal court debt for the City of Englewood be terminated as his firm cannot provide this service; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the contract with Steve Tarta for the collection of outstanding municipal court debt for the City of Englewood is hereby terminated immediately.

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			

RESOLUTION #259-12-17-13

**RESOLUTION AWARDING A CONTRACT
FOR THE COLLECTION OF MUNICIPAL COURT DEBT**

WHEREAS, on June 25, 2013 adopted Resolution #144-06-25-13 awarding a contract to a private collection agency for the purpose of collecting outstanding municipal court debt. This contract has been terminated at the request of the contractor; and

WHEREAS, upon the City Solicitor of the City of Englewood and upon the recommendation of the appropriate entities, a contract for this service will be awarded to Williams, Alexander & Associates, with offices located at 1479 Route 23 South, Suite 207, Wayne, New Jersey 07470.

WHEREAS, Williams, Alexander & Associates has submitted the appropriate and required documents and has been found qualified and competent to represent the City to provide services for the Collection of Municipal Court Debt for a period from December 18, 2013 through December 31, 2014; and

WHEREAS, there is no expenditure of municipal funds required for this contract. The law permits the City to authorize the assessment of the defendant of a fee by a private collection agency or firm not to exceed 22% of the funds actually collected; and

WHEREAS, the law clarifies that the only municipal court cases that may be sent to a private collection agency are those wherein the municipal court has made a final determination of guilt, and the municipal court has exhausted all judicial enforcement remedies; 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 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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Williams, Alexander & Associates is hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Williams, Alexander & Associates to provide services for the Collection of Municipal Court Debt in accordance with the specifications therefore.

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	X			
<i>Hamer</i>		X			

RESOLUTION #260-12-17-13

AUTHORIZE LIEN FOR PROPERTY MAINTENANCE

WHEREAS, N.J.S.A. 40:48-2.14 allows a municipality to cut brush, hedges and other plant life from any lands under the direction of the code enforcement officer; and

WHEREAS, a municipal officer has certified the cost of such services against the property known as Block 2308, Lot 36, 83 Park Avenue in the certification attached; and

WHEREAS, the City of Englewood enacted Chapter 380 entitled Streets and Sidewalks, which provides the Council to approve the reasonable cost that shall be charged to the owner of said land and shall become a lien upon such lands.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood in the County of Bergen, State of New Jersey that this Resolution be transmitted to the Tax Collector and that a lien be placed upon the referenced land in the amount of \$732.56.

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			

RESOLUTION # 261-12-17-13

PLACE -TO- PLACE TRANSFER (EXPANSION OF PREMISES) OF CLUB LICENSE

WHEREAS, an application has been filed for a place-to-place transfer (Expansion of Premises) of Club License 0215-31-034-001, for purposes of expanding the premises under license wherein the sale, service, and storage of alcoholic beverages are authorized;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Englewood does hereby approve, effective December 18, 2013 the expansion of the aforesaid Club licensed premises located at 341 Engle Street, Englewood, New Jersey, to place under license the area delineated in the application form and the sketch of the licensed premises attached thereto.

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			

RESOLUTION #262-12-17-13

RESOLUTION HONORING FRAN FARBER-WALTER

WHEREAS, Fran Farber-Walter, diligently, tirelessly and proudly served the residents of the City of Englewood as their elected at-large representative to the City Council from 1995 through 1997. Mrs. Farber-Walter was elected by her peers on the City Council to serve as Council President in 1997; and

WHEREAS, before becoming an elected official in the City of Englewood, Fran Farber-Walter served the community as the City's Landlord-Tenant board secretary and personnel administrator in the 1970's. Mrs. Farber-Walter's community involvement as an outspoken fighter for social justice led to her involvement with the American Civil Liberties Union of New Jersey, where she served as the organization's President. She was a longtime weekly volunteer for Shelter Our Sisters, a Hackensack non-profit that supports battered women and their children and also volunteered as an ESL tutor at the Englewood Public Library; and

WHEREAS, when Mrs. Farber-Walter entered her 40's, she embarked on a second career in law when she was admitted to Rutgers School of Law because she felt that this knowledge and background would enable her to better serve her community and assist others. She later practiced law at Stryker, Tams & Dill in Newark and Deutsch Atkins in Hackensack specializing in employment and civil-rights matters.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honor the memory of Fran Farber-Walter, for her long-time service to the residents of the City of Englewood as an At-Large Councilwoman, community activist and volunteer.

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

RESOLUTION #263-12-17-13

**AUTHORIZE ENGLEWOOD HOUSING AUTHORITY
APPLICATION FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, a Bergen County Community Development grant of \$55,000 has been proposed by the Englewood Housing Authority for the replacement of the roof and boiler units for the John J. Foti Building, which houses elderly and disabled tenants, at 115 Humphrey 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.

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			

RESOLUTION #264-12-17-13

AUTHORIZE CITY OF ENGLEWOOD TO ENTER INTO A

**GRANT AGREEMENT WITH THE COUNTY OF BERGEN FOR
THE OVERPECK CREEK CHANNEL WALL REPLACEMENT PROJECT**

BE IT RESOLVED, that the Mayor and Council of the City of Englewood wishes to enter into a Grant Agreement with the County of Bergen for the purpose of using \$140,000 in 2013-2014 Community Development Block funds for the Overpeck Creek Channel Wall Replacement project; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Timothy Dacey, City Manager to be a signatory to aforesaid Grant Agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Ronald Amorino, Chief Financial Officer to sign all county vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the City of Englewood is liable for any funds not spent in accordance with the Grant Agreement; and that the liability of the Mayor and Council is in accordance with HUD requirements.

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			

Public Comment on Agenda Items:

- Elle Kelly 350 Shepard Avenue:
 - Feels there is a lack of privacy in the Police Department lobby. Visitors must use a phone to speak with officers.
 - Does not agree with the idea of leaving mulched leaves on the lawn believes in bagging the leaves.
 - Spoke about Congressman Pascrell getting Paterson a grant for new fire fighter equipment.
 - Spoke about food vendor license and who should do the inspections.
 - Issue with Board of Education not securing doors and locker rooms properly and children's property is being stolen.
- Nicola Domanchuk 18 Engle Street:
 - Asked why accelerated tax sale was put into place in 2013. Would like the Council to reconsider the burden that this places on the tax payers. Mr. Dacey explained why this was put into place.

RESOLUTION #265-12-17-13

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:

Personnel and Contract Negotiations

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

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- () Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X)** Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.

(X) Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

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

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant		X			
Forman		X			
Skurnick		X			
Cohen	X	X			
Hamer		X			

Entered into Closed Session at 8:30PM and then immediately reconvened in Open Session at 8:31PM

RESOLUTION #254-12-17-13

**RESOLUTION NAMING THE NEW FIREHOUSE IN HONOR AND MEMORIAM OF
COUNCILMAN JACK DRAKEFORD**

WHEREAS, on August 2, 2012 the City of Englewood lost a great citizen and community leader with the passing of Councilman Jack Drakeford who was known far and wide as "Mr. Englewood" and as the "Dean of the City Council". Jack took special pride in assisting those in his community to achieve success in their own lives and careers; and

WHEREAS, Jack Drakeford began his long career with the City of Englewood when he was appointed a Probationary Fire Fighter on June 30, 1959 he also served the City as Acting Director of both the Departments of Public Works and Public Safety; and

WHEREAS, Jack's storied career in government took him from the rank and file of the Englewood Fire Department to the highest levels of City government when he proudly and ably served in the dual roles of City Manager and City Clerk beginning in December 1985 until his retirement on April 1, 1994 from City government whereupon Jack served as a business consultant for Labor Union Local #108 RWDSU; and

WHEREAS, Jack Drakeford proudly served the citizens of Englewood as an appointed member to the Englewood Board of Education in the 1970's; and

WHEREAS, Jack began his long tenure as an elected official when he was sworn into office in January 1974 to serve as the 4th Ward Councilman. Jack was appointed as Acting City Clerk on February 1, 1977 and upon his reelection as City Clerk where he continued to serve until his retirement in 1994. After his retirement, Jack again ran for the 4th Ward Council seat and was sworn into office in January 1999 and was also selected by the Council to serve as its President for that year. Jack served as Council President four times over three decades and became the Dean of the City Council. Jack continued to serve the people of the 4th Ward as their Councilman until his passing; and

WHEREAS, Jack also served on numerous boards and committees including Habitat for Humanity of Bergen County, Englewood Housing Authority, Bergen County Technical Schools Board and the New Jersey State Democratic Committee; and

WHEREAS, Jack Drakeford, born and raised in Englewood's 4th Ward and was a proud graduate of Dwight Morrow High School, after his high school graduation he served in the U.S. Army for four years where he was the First Black Fireman stationed in Germany. He went onto graduate from New York University with a degree in Business Administration and completed further studies at Fairleigh Dickinson University. Jack regularly worshipped at Mount Calvary Baptist Church;

WHEREAS, Jack was known for speaking his mind and in his own words stated it as such "*I had a serious penchant for speaking my mind, even as a child. This is, if I disagreed with something you said, I couldn't resist the urge to immediately set you straight no matter who you were. I've never been partial to the idea of people walking around misinformed*"; and

WHEREAS, the City of Englewood will be erecting a new Firehouse to replace the 100 year old structure that is currently being used. The new Firehouse will be located on City owned land that lies between the Public Safety Complex and the Englewood Volunteer Ambulance Corps building on South Van Brunt Street. RSC Architects presented the design to the Mayor and Council at the Council Workshop on December 3, 2013 and the Bond Ordinance will come before the governing body in early 2014; and

WHEREAS, RSC Architects will be designing the appropriate signage for the new Firehouse to commemorate it as the “Jack Drakeford Firehouse” in order to honor Councilman Drakeford for his lifelong work and commitment to public service for the residents of the City of Englewood and this will be included in the final design of the structure; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Englewood in order to honor and memorialize Jack Drakeford and his life-long devotion and contributions to his beloved City of Englewood upon completion of the City of Englewood’s new Firehouse, the Firehouse shall be designated as the “Jack Drakeford Firehouse”.

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 #254:

- Mayor Huttie read this Resolution into the record and spoke about Jack Drakeford and immense contributions to the City and residents of Englewood.
- Councilwoman Algrant stated that it is a privilege to be voting on this resolution to honor Jack Drakeford.
- Councilman Hamer agreed that it is absolutely the right thing to do for Jack Drakeford in light of his 52 years of public service.
- Councilman Cohen said that it was a privilege to know and work with Jack Drakeford and that Jack was a man who knew how government and politics worked and how to utilize them get things done. Jack dedicated his life to the City of Englewood and this is definitely an appropriate tribute to him.
- Mayor Huttie told two short stories about Jack; one about how Jack was instrumental in the 2003 vote to reopen the John Harms Theater and how he encouraged the Mayor to initial run for the mayoralty. Mayor Huttie is proud that the new Firehouse will be dedicated in Jack Drakeford’s honor.

RESOLUTION #266-12-17-13

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:

Personnel and Contract Negotiations

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:

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

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

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

<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: 9:35 PM

Motion: Algrant
All in Favor

Lauren Vande Vaarst, RMC
City Clerk