

City of Englewood
City Council Meeting Minutes
August 26, 2014

A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 7:30 P.M.

Roll Call:

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

President 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 #181-08-26-14

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETINGS
 July 29, 2014

COUNCIL WORKSHOP MEETINGS
 August 12, 2014

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 #182-08-26-14

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 \$5,319,982.85.

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

PRESENTATION

SKATE BOARD PARK

- Presented by Michael Orjuela, 276 Engle Street and Birane Lam 121 Wood Street.

- Spoke about the lack of a place to skateboard in Englewood. The nearest skate park is in Tenafly and that is 3 miles away. Skateboarding is rising in popularity even though some parks have closed down (Fort Lee and Garden State Skate).
- Mayor and Council comments:
 - Councilman Forman asked which parks did they like the best. They prefer the ones in NY; Coleman on the Lower East Side, Chelsea and Tribeca because they are larger than the ones in NJ. Asked where they would like to see a park located in Englewood. They responded either Morris Park or Mackay Park.
 - Councilman Skurnick asked how many kids would be interested in a skate park in Englewood. They said about 100, of which 30 will be local and they skate year round. In Tenafly they do get spectators.
 - Mayor Huttle asked how much do they skate in the winter and do they skate indoors. Explained that they used to go to Garden State Skate and will even go to Bayonne. They will shovel snow and skate.
 - Councilwoman Algrant spoke about Mackay Park and that there will be Public Hearings held on the park and they should come out to speak.
- Robert Sisti 151 E. Palisade Avenue said that the City of Englewood should build a skate park because of the one in Tenafly. He thinks that the ramps from Ft. Lee's are in storage and maybe available for purchase.
- Councilman Forman asked why other towns closed their parks; Mahwah closed because a kid fell and broke something, Tenafly is still open but requires passes and helmets, Ft. Lee's was located too close to the Senior Housing Complex and was too noisy.
- Elle Kelly 350 Shepard Avenue spoke about the Council promising the kids a skate park 6 years ago.

Communications from the Mayor/Council Member:

Comments from the City Manager:

- Pools will be closing on Labor Day.
- The Summer Recreation Camp has ended and the Y camp will be running for one week, fully subsidized with 120 children.
- Working with Ken Katz and Jim Koth to get the Wright Arena ready of the scheduled opening in early October.
- The Fall Recreation Schedule is now online and is also going out to the schools.

ORDINANCE #14-29

AN ORDINANCE AUTHORIZING SALE OF LAND WITHOUT PUBLIC AUCTION

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

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

WHEREAS, the Governing Body has determined that Lot 15.01 Block 2110 meets the statutory criteria, and

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

WHEREAS, the sale of such land is in the best interests of the City of Englewood,

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

1. The Governing Body of the City of Englewood shall offer the land known as Block 2110, Lot 15.01 located on Genesse Avenue, Englewood, as to the owners of the contiguous properties, as shown on the Borough Tax Records, for the minimum price of \$12,800 plus the \$1,500 cost of Appraisal. Block 2110 Lot 15.01 consists of 1,964 square feet as described in the Appraisal Report dated June 2, 2014 prepared by McNerney and Associates which is available for review at City Hall.

2. The sale shall be (limited to the contiguous owners) submitting the highest bid equal to or in excess of the listed price. The terms of the sale shall be that the City shall deliver marketable title, with closing to occur within sixty (60) days of the awarded bid.

3. The Deed of Conveyance for said property shall contain the following restriction which shall be binding upon the heirs, successors and assigns of the purchaser:
 "THE WITHIN LANDS SHALL BE MERGED WITH THE LANDS COMMONLY KNOWN AS LOT 15, BLOCK 2110 WHICH LANDS ARE OWNED BY THE GRANTEE HEREOF. SAID LANDS SHALL HEREAFTER NOT BE USED OR SUBDIVIDED IN ANY WAY EXCEPT AS PART OF A CONFORMING LOT BEING USED IN CONFORMANCE WITH THE USE AND BULK REGULATIONS SET FORTH IN THE ENGLEWOOD LAND USE ORDINANCE AS MAY FROM TIME TO TIME BE AMENDED."

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

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

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

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

"Offer to purchase Block 2110, Lot 15.01, submitted by _____."

The time within which to submit bids shall close at the conclusion of the 20-day period aforementioned, or such further period, as extended. The City reserves the right to reject any and all bids and to waive any irregularities therein to the maximum extent provided by law. Closing of title shall occur at the offices of Huntington Bailey, L.L.P., 373 Kinderkamack Road, Westwood, New Jersey 07675. Title to be conveyed shall be insurable by a New Jersey licensed title company at regular rates, however, conveyance at the City's option, shall be by quit claim deed. If title is not acceptable, the transaction is void and deposit shall be returned, and the City shall have no other responsibility.

As a condition of sale, the successful bidder shall submit a survey, to be approved by the City Engineer, within 30 days of acceptance of the bid by the City of Englewood. The cost of the survey shall be the sole responsibility of the purchaser.

A further condition of the sale shall be that the purchaser shall file with the County by deed or survey, and that filing costs be the sole responsibility of the purchaser.

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

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

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

FIRST READING DATE: August 12, 2014

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

DATE PUBLISHED IN THE RECORD: August 15, 2014

DATES PUBLIC HEARINGS HELD: August 26, 2014

DATE SECOND READING HELD: August 26, 2014

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

Public Hearing on Ordinance #14-29:

- Elle Kelly 350 Shepard Avenue:
 - Asked where the land is located and Mr. Bailey explained. How much will the land be sold for and where will the money go? The land will sell for the appraised value plus cost of the appraisal \$12,800 and money goes to the City.

ORDINANCE #14-30

AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-26, SCHEDULE XVI OF THE TRAFFIC AND PARKING ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 25, Section 25-26 Schedule XVI, No Left Turn as designated within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the following Chapter 25, Section 25-26 Schedule XVI, No Left Turn;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25, Section 25-26 Schedule XVI, No Left Turn; is hereby amended as follows:

Section 25-26, Schedule XVI, No Left Turn

STREET	SIDE	LOCATION
South Van Brunt	South	At its intersection with Nordhoff Place
Nordhoff Place	West	At its intersection with South Van Brunt Street

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

FIRST READING DATE: August 12, 2014

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

DATE PUBLISHED IN THE RECORD: August 15, 2014

DATES PUBLIC HEARINGS HELD: August 26, 2014

DATE SECOND READING HELD: August 26, 2014

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

Public Hearing on Ordinance #14-30:

No one from the Public came forward to speak

ORDINANCE #14-31

ORDINANCE ACCEPTING A TRAFFIC SIGNAL LOCATED AT THE INTERSECTION OF SOUTH VAN BRUNT STREET AND NORDOFF PLACE EXTENSION

WHEREAS, a traffic signal has been installed at intersection of South Van Brunt Street and the Nordhoff Place Extension in the City of Englewood; and

WHEREAS, the City of Englewood wishes to accept the said traffic signal to the extent required to enforce any violations with respect to same.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey that the traffic signal located at the intersection of South Van Brunt Street and the Nordhoff Place Extension is hereby duly accepted and any traffic violations with respect to said traffic signal shall be enforced and summonses with respect to such violations duly issued.

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

FIRST READING DATE: August 12, 2014

COUNCIL	MOTION	VOTE
Algrant		AB
Forman	X	Y

Skurnick		Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: August 15, 2014

DATES PUBLIC HEARINGS HELD: August 26, 2014

DATE SECOND READING HELD: August 26, 2014

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

Public Hearing on Ordinance #14-31:

- Elle Kelly 350 Shepard Avenue:
 - Would like to see hours posted to allow "Right on Red". Mr. Dacey explained that the issue is line of sight there especially in regard to trucks so "Right on Red" cannot be allowed there.
- Alva Jones 87 DuBois Court:
 - Asked whose idea it was to install the light there because it backs up traffic to Forest Avenue. Ken Albert explained that the light was installed as part of a safety initiative in the Redevelopment Area, and could not be placed any closer to Route 4. Councilwoman Algrant asked about the timing of the lights at Forest Avenue and Nordhoff Place Extension, Mr. Albert said that can be looked into.

Public Comment on Agenda Items:

- James Gilbert , former Englewood resident and Chair of the Planning Board, current Chatham Resident and previously served on State Planning Board:
 - Spoke about Resolution #200- feels that Englewood does have a stake in what happens on the Palisades. The Palisades are a national treasure and he encourages the Council to pass this resolution.
- Eileen Swan, former Mayor of Califon, NJ and Executive Director of the NJ Highlands Coalition:
 - Spoke about Resolution #200- urged the Council to pass this resolution. Not just an issue for Englewood Cliffs, Englewood and NJ but a national landmark. Left copies of the annual report of the NJ Conservation Association.
- Karen Gieger 270 Alfred Street, Englewood Cliffs;
 - Spoke about Resolution #200- represents "concerned Citizens of Englewood Cliffs" and wants the City of Englewood to encourage Englewood Cliffs to protect the Palisades view shed. She spoke about new restrictive zoning in Englewood Cliffs but LG has not made any public comment about lowering height to 35 feet which is below the tree line.
 - Urged the Council to pass this resolution.

RESOLUTION #183-08-26-14

**AUTHORIZING AWARD OF CONTRACT FOR BRAYTON/JOHNSON STREET RECONSTRUCTION
PROJECT NUMBER 111226**

WHEREAS, sealed bids were received on August 21, 2014 for the Brayton/Johnson Street Reconstruction, Project Number 111226 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from two (2) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by New Prince Construction Co., Inc., 215 Elleen Terrace, Hackensack, New Jersey 07061 for the sum of \$559,760.00 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

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

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by New Prince Construction Co., Inc., 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 New Prince Construction Co., Inc., for the Brayton/Johnson Street Reconstruction, Project Number 111226 in accordance with the specifications therefore.

BE IT FURTHER RESOLVED that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Ordinance 14- 24(1)

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

RESOLUTION #184-08-26-14

**AUTHORIZING AWARD OF CONTRACT FOR WARREN STREET AND HOWELL ROAD
PROJECT NUMBER 111418**

WHEREAS, sealed bids were received on August 21, 2014 for the Warren Street and Howell Road Reconstruction, Project Number 111418 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from four (4) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by New Prince Construction Co., Inc., 215 Elleen Terrace, Hackensack, New Jersey 07061 for the sum of \$658,895.00 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

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

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by New Prince Construction Co., Inc., 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 New Prince Construction Co., Inc., for the Warren Street and Howell Road Reconstruction, Project Number 111418 in accordance with the specifications therefore.

BE IT FURTHER RESOLVED that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Ordinance 14- 24(1)
- Ordinance 14-24 (2)
- 2014 CD Grant

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

RESOLUTION #185-08-26-14

**AWARD PROFESSIONAL SERVICES CONTRACT TO CONNOLLY & HICKEY HISTORICAL ARCHITECTS LLC FOR
PREPARATION OF BERGEN COUNTY HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION FOR THE
EXTERIOR RENOVATION OF THE MACKAY PARK GATEHOUSE**

WHEREAS, the City of Englewood requires a qualified historical architect to prepare the City's application for a Bergen County Historic Preservation Trust Fund Grant for the Exterior Restoration of the Mackay Park Gatehouse; and

WHEREAS, Connolly & Hickey has already prepared a Historic Preservation Plan and a National Register Nomination for the Mackay Park Gatehouse, and the grant requests to Bergen County shall be based on the findings of said Historic Preservation Plan. It is the recommendation of the City Engineer is to award a contract for such services to Connolly & Hickey Historical Architects LLC, 2 N. Union Avenue, P.O. Box 1726, Cranford, NJ 07016 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined that the value of this contract will not exceed \$1,300.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Connolly & Hickey Historical Architects LLC to prepare the City's application for a Bergen County Historic Preservation Trust Fund Grant for the Exterior Restoration of the Mackay Park Gatehouse.

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

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Record newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

Funding for this project is available from the following sources:

- Ordinance 13- 06(6)

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 #186-08-26-14

AWARD PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES TO PROVIDE PROFESSIONAL SERVICES FOR THE PROFESSIONAL ENGINEERING, LAND SURVEYING AND PERMITTING SERVICES FOR THE DREDGING OF OVERPECK CREEK AND MILLERS POND

WHEREAS, the City of Englewood requires a consultant to provide professional engineering, land surveying and permitting services for the dredging of Overpeck Creek and Millers Pond; and

WHEREAS, the engineers shall provide the following Scope of Work as outlined in the attached proposal dated July 16, 2014 in regard to the dredging of Overpeck Creek and Millers Pond in Englewood:

- Phase I- Sediment Sampling and Laboratory Testing - \$9,700.00
- Phase II- Land Surveying and Wetland Location Phase (including topographic surveys of Overpeck Creek, Metzler Brook and Millers Pond) - \$27,300.00
- Phase III- Preliminary Design Phase - \$21,900.00
- Phase IV- Permitting Phase - \$43,500.00
- Phase V- Final Design Phase - \$12,400.00
- Phase VI- Specifications and Bid Phase Services - \$9,100.00
- Phase VII- Construction Phase Services - \$34,400.00

Total \$158,300.00

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 CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859-1162 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, will be compensated by a lump sum fee of \$158,300.00; and

WHEREAS, CME Associates 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 CME Associates to provide professional engineering, land surveying and permitting services for the dredging of Overpeck Creek and Millers Pond; and

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 14-16(4)

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

RESOLUTION #187-08-26-14

AWARD PROFESSIONAL SERVICES CONTRACT TO ACACIA FINANCIAL GROUP TO PROVIDE PROFESSIONAL SERVICES IN CONJUNCTION WITH THE SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE

WHEREAS, the City of Englewood has the need for professional financial advisors to assist in offering continuing disclosure compliance services in connection with the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative. The scope of work, as per the attached proposal dated August 4, 2014, will generally include the following:

With respect to existing continuing disclosure agreement (Existing CDA) compliance:

- Preparation of a detailed report which will examine existing continuing disclosure agreements and previous continuing disclosure undertakings/filings and provide a summary of any non-compliance.
- If non-compliance with respect to the CDA's is identified, Acacia will work with bond counsel to prepare any event notices and will assist or file any notices and financial information in order to become currently compliant.

With respect to the MCDC Initiative:

- Review of all official statements for bonds issued in the past 5 years to determine whether the statements describing the status of prior undertakings is materially accurate.
- If non-compliance is identified and if such non-compliance is chosen by the City to be self-reported, Acacia will prepare the questionnaire to be submitted to the SEC.

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 Acacia Financial Group, Inc., 601 Route 73 North, Suite 206, Marlton, New Jersey 08053 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 \$3,500.00; and

WHEREAS, Acacia Financial Group, Inc. 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 Acacia Financial Group, Inc to serve as professional financial advisors for the City of Englewood;

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 #188-08-26-14

RESOLUTION AUTHORIZING A REVIEW OF COMPLIANCE WITH PRIOR ANNUAL CONTINUING DISCLOSURE OBLIGATIONS AND PARTICIPATION IN THE SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE

WHEREAS, the City of Englewood, New Jersey (the "Issuer") has previously issued one or more series of bonds, including in the past five (5) years pursuant to one or more preliminary and final official statements (collectively, the "Bonds"); and

WHEREAS, in connection with the issuance of such Bonds, the Issuer covenanted with Bondholders to provide certain secondary market information on an annual basis to the Nationally Recognized Municipal Securities Information Repositories (pre-2009) and to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access Data Port (2009 to present) ("EMMA"), including, but not limited to, audited financial statements, municipal budgets, other financial and operating data and ratings changes; and

WHEREAS, the Securities and Exchange Commission (the "SEC") has recently focused attention on what it alleges is widespread failure of local government issuers across the nation to meet their continuing disclosure obligations and misrepresentation through material misstatements in an official statement (innocently, inadvertently or otherwise) of past compliance with continuing disclosure obligations; and

WHEREAS, in an effort to remedy these perceived issues, the SEC has implemented the Municipalities Continuing Disclosure Cooperation Initiative (the "SEC Initiative"), a limited-time program ending at 12:00 a.m. on September 10, 2014, that encourages issuers of municipal bonds, including the Issuer, to self-report possible material misstatements or omissions, made in the past five (5) years in an official statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, by participating in the SEC Initiative, issuers agree to accept certain non-monetary penalties, in lieu of unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not participate in the SEC Initiative, should the SEC determine that an issuer has made material misstatements in an official statement regarding compliance with prior continuing disclosure obligations; and

WHEREAS, by participating in the SEC Initiative, issuers agree to accept the following penalties, if imposed by the SEC (i) compliance with a cease and desist order in which the issuer neither admits nor denies the findings of the SEC, (ii) implementation of policies, procedures and training regarding continuing disclosure obligations, (iii) compliance with all existing continuing disclosure undertakings, (iv) cooperation with any further SEC investigation, (v) disclosure of settlement terms in any final official statement issued within five years of the date of institution of the proceedings, and (vi) production to the SEC of a compliance certificate regarding the applicable undertakings on the one year anniversary of the proceedings; and

WHEREAS, on July 24, 2014, the Division of Local Government Services issued Public Finance Notice (i) alerting New Jersey local governments to the SEC Initiative, (ii) strongly recommending that local governments examine their continuing disclosure contractual obligations and past official statements in order to determine if it is advisable for an issuer to participate in the SEC Initiative and (iii) cautioned that local governments that fail to complete a disclosure assessment in connection with the SEC Initiative will likely have difficulty accessing capital markets, difficulty in receiving timely approvals of the Local Finance Board or Director of the Division of Local Government Services, as applicable, and decreased scores on the future "Best Practices Questionnaires"; and

WHEREAS, the Issuer desires to conduct a disclosure audit which will (i) summarize the results of the Issuer's prior compliance with its secondary market disclosure obligations and (ii) compare those results to the statements made by the Issuer in its official statements regarding past compliance (the "Disclosure Audit"); and

WHEREAS, the Issuer further desires to retain the services of disclosure specialist to conduct the Disclosure Audit; and

WHEREAS, based on the results of the Disclosure Audit, and weighing heavily the known, non-monetary penalties that may come through the Issuer's participation in the SEC Initiative versus the unknown, and, by all accounts, hefty monetary and non-monetary penalties the SEC has threatened on issuers that do not self-report, the Issuer further desires to delegate to the Chief Financial Officer, in consultation with the Issuer's general counsel, bond counsel, auditor and other finance professionals, the power to prepare and submit all documentation required to enter the Issuer's Bond issues into the SEC Initiative, as necessary;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE ISSUER, AS FOLLOWS:

Section 1. The Issuer hereby authorizes completion of the Disclosure Audit.

Section 2. The Issuer hereby authorizes the Chief Financial Officer to engage the services of a disclosure specialist to complete the Disclosure Audit; provided that the award of any contract in connection therewith meets the requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

Section 3. In the event the Disclosure Audit reveals that the Issuer **may** have made a material misstatement regarding the Issuer's compliance with prior continuing disclosure undertakings, the Issuer hereby authorizes and directs the Chief Financial Officer to prepare and submit all documentation necessary to enter the Issuer's applicable Bond issues into the SEC Initiative.

Section 4. Any action taken by the Chief Financial Officer, or any other officer of the Issuer, with respect to the Disclosure Audit, the engagement of a disclosure specialist and participation in the SEC Initiative is hereby ratified and confirmed.

Section 5. This resolution shall take effect immediately.

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

RESOLUTION #189-08-26-14

AWARD PROFESSIONAL SERVICES CONTRACT TO ARCARI+ IOVINO ARCHITECTS PC TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES FOR THE FACILITY IMPROVEMENTS AT THE VINCENTE K. TIBBS EARLY CHILDHOOD DEVELOPMENT CENTER

WHEREAS, the City of Englewood requires a qualified architect to provide basic architectural services for the improvements and renovations needed at the Vincente K. Tibbs Early Childhood Development Center; and

WHEREAS, Arcari+Iovino Architects PC will be providing basic architectural services for this project that will include the following items; replacement of damaged ceiling/grid tiles, new flooring, new wall board for classroom bathrooms, reset or replace bathroom fixtures, painting classrooms and bathrooms, lighting of the corridor and replacement of rusted exterior doors and frames.

WHEREAS, it is the recommendation of the City Engineer is to award a contract for such services to Arcari+Iovino Architects PC, One Katherine Street, Little Ferry, NJ 07643 pursuant to NJ.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined that the value of this contract will not exceed \$21,875.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Arcari+Iovino Architects PC to provide basic architectural services for the improvements and renovations needed at the Vincente K. Tibbs Early Childhood Development Center.

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 sources:

- Ordinance 14- 16(6)

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 #190-08-26-14

REFUNDS DUE TO STATE TAX APPEALS

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

WHEREAS, the said judgment has 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 \$22,771.66 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 #191-08-26-14

REFUND OF TAX OVERPAYMENT

WHEREAS, it has been determined by the Tax Collector that Block 2904, Lot 15, 41 Honeck Street, is entitled to a tax overpayment refund;

WHEREAS, it is the desire of the City Council to have this overpayment returned to the party requesting the refund;

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 \$4,877.97 to 41 Honeck Street LLC, PO Box 5389, Englewood, NJ 07631.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

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

RESOLUTION #192-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
- 2011 RECYCLING TONNAGE GRANT**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$30,869.22 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 Solid Waste Administration-2011 Recycling Tonnage Grant \$30,869.22

BE IT FURTHER RESOLVED that a like sum of \$30,869.22 is hereby appropriated under the caption of:

General Appropriations
 Operations Excluded from CAPS
 Solid Waste Administration-2011 Recycling Tonnage Grant \$30,869.22

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #193-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
- 2012 DRUNK DRIVING ENFORCEMENT FUND**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$9,299.00 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 2012 Drunk Driving Enforcement Fund \$9,299.00

BE IT FURTHER RESOLVED that a like sum of \$9,299.00 is hereby appropriated under the caption of:

General Appropriations
 Operations Excluded from CAPS
 2012 Drunk Driving Enforcement Fund \$9,299.00

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #194-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
 AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
 - 2013 BODY ARMOR REPLACEMENT GRANT**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$9,176.55 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 2013 Body Armor Replacement Grant \$9,176.55

BE IT FURTHER RESOLVED that a like sum of \$9,176.55 is hereby appropriated under the caption of:

General Appropriations
 Operations Excluded from CAPS
 2013 Body Armor Replacement Grant \$9,176.55

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #195-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
- 2012 BODY ARMOR REPLACEMENT GRANT**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$7,155.00 which is now available as revenue from:

Miscellaneous Revenues
Special Items of General Revenues Anticipated with Prior Written
Consent of the Director of the Division of Local Government Services:
Revenues:
2012 Body Armor Replacement Grant \$7,155.00

BE IT FURTHER RESOLVED that a like sum of \$7,155.00 is hereby appropriated under the caption of:

General Appropriations
Operations Excluded from CAPS
2012 Body Armor Replacement Grant \$7,155.00

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #196-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET- 2012 AND 2013 TROLLEY CONTRIBUTIONS**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$40,000.00 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 2012 Trolley Contributions \$15,000.00
 2013 Trolley Contributions \$25,000.00

BE IT FURTHER RESOLVED that a like sum of \$40,000.00 is hereby appropriated under

the caption of:

General Appropriations
 Operations Excluded from CAPS
 2012 Trolley Contributions \$15,000.00
 2013 Trolley Contributions \$25,000.00

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #197-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
 AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
 - 2013 CLEAN COMMUNITIES GRANT**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$44,037.78 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 2013 Clean Communities Grant \$44,037.78

BE IT FURTHER RESOLVED that a like sum of \$44,037.78 is hereby appropriated under

the caption of:

General Appropriations
 Operations Excluded from CAPS
 2013 Clean Communities Grant \$44,037.78

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #198-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
- 2013 DRUNK DRIVING PREVENTION**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$4,304.34 which is now available as revenue from:

Miscellaneous Revenues
Special Items of General Revenues Anticipated with Prior Written
Consent of the Director of the Division of Local Government Services:
Revenues:
2013 Drunk Driving Prevention \$4,304.34

BE IT FURTHER RESOLVED that a like sum of \$4,304.34 is hereby appropriated under the caption of:

General Appropriations
Operations Excluded from CAPS
2013 Drunk Driving Prevention \$4,304.34

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #199-08-26-14

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2014 BUDGET
- NJ DCA ADOLESCENT HEALTH GRANT (PRIOR TO 2010)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2014 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the total sum of \$338.28 which is now available as revenue from:

Miscellaneous Revenues
Special Items of General Revenues Anticipated with Prior Written
Consent of the Director of the Division of Local Government Services:
Revenues:
NJ DCA Adolescent Health Grant (prior to 2010) \$338.28

BE IT FURTHER RESOLVED that a like sum of \$338.28 is hereby appropriated under

the caption of:

General Appropriations
Operations Excluded from CAPS
NJ DCA Adolescent Health Grant (prior to 2010) \$338.28

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

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

RESOLUTION #200-08-26-14

RESOLUTION ENCOURAGING PROTECTION OF NEW JERSEY PALISADES VIEWSHED

WHEREAS, the New Jersey Palisades are among the most dramatic geologic features in the region, with lush, green, rugged cliffs that inspired many of the Hudson River School painters; and

WHEREAS, this landscape is so important that the National Park Service has designated the New Jersey Palisades as both National Natural Landmark and National Historic Landmark under the National Historic Preservation Act; and

WHEREAS, it is the responsibility of all New Jersey residents to be proud stewards of this naturally and historically significant treasure and fight for their continued protection; and

WHEREAS the Palisades Interstate Park Commission has found that the height of the proposed LG USA Headquarters building above the tree line is not in accordance with its stewardship mission and the public trust to preserve the scenic beauty of the Palisades and would create a precedent inconsistent with its mission; and

WHEREAS with a fourfold increase upon existing zoning, the 143-foot height of the proposed development of the LG USA Headquarters in Englewood Cliffs, New Jersey, poses a new threat and precedent to the scenic beauty of the Hudson River shoreline north of Fort Lee, and

WHEREAS the development needs of an LG USA headquarters on this 27-acre site can be achieved at a lower building height that would not pose such a threat and precedent to the scenic beauty of the Palisades; and

WHEREAS we are obligated to retain the vision of the Federation of Women's Clubs, which, one hundred years ago, collected funds from the residents of New York and New Jersey to purchase the land that would keep the Palisades pristine for all time;

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Englewood, Bergen County, New Jersey, that it opposes the height of the LG USA headquarters building, as currently planned, and strongly urges the management of LG USA, Inc. to lower the proposed height of the building to below the tree line in order to preserve the scenic beauty of the Palisades.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to **William Cho, CEO, LG Electronics USA, 920 Sylvan Avenue, Englewood Cliffs NJ 07632**, Governor Chris Christie, Senator Robert Menendez, Senator Cory Booker, Congressman Scott Garrett, Congressman Bill Pascrell, State Senator Gerald Cardinale, State Senator Loretta Weinberg, Assemblywoman Holly Schepisi, Assemblyman Robert Auth, Assemblywoman Valerie Huttle, Assemblyman Gordon Johnson, County Executive Kathleen Donovan, the Bergen County Board of Chosen Freeholders, and the governing bodies of eastern Bergen County municipalities.

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

RESOLUTION #201-08-26-14

**A RESOLUTION AUTHORIZING THE MUNICIPALITY OF THE CITY OF ENGLEWOOD
TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERCEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000
AND AMENDMENTS THERETO ESTABLISHING THE COMMUNITY DEVELOPMENT PROGRAM**

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012; and

WHEREAS, it is necessary to supersede an existing interlocal services cooperative agreement for the County and its people to benefit from this program; and

WHEREAS, an agreement has been proposed under which the Municipality of the City of Englewood and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et.seq.; and

WHEREAS, it is in the best interest of the Municipality of the City of Englewood to enter into such an agreement,

NOW, THEREFORE, BE IT RESOLVED, by the Municipality of the City of Englewood that the agreement entitled "Three Year Cooperative Agreement": An Agreement Superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003, to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment Partnership Act Program and the Emergency Solutions Grant program for the Program Years: 2015, 2016, 2017 (July 1, 2015 – June 30, 2018) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

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

RESOLUTION #202-08-26-14

**RESOLUTION SUPPORTING THE NOMINATION OF ENGLEWOOD RESIDENT,
S. FITZGERALD HANEY TO BE NAMED AS THE UNITED STATES AMBASSADOR TO COSTA RICA**

WHEREAS, S. Fitzgerald Haney, who resides in Englewood with his wife and their four children, was recently nominated to serve the United States of America as the next Ambassador to Costa Rica; and

WHEREAS, Mr. Haney is an international businessman who has worked with numerous global corporations mostly in Latin America and has previously served the City of Englewood as a member of both the Planning Board and the Board of Adjustment. Mr. Haney has also served the community as a member of numerous non-profit and community boards including the Foundation of Jewish Culture, Ayecha, a resource organization for Jews of color and has been appointed to the U.S. Holocaust Memorial Council; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of Englewood, Bergen County, New Jersey, that this resolution be forwarded to Senator Robert Menendez, Chair of U.S. Foreign Relations Committee expressing their support for the appointment of S. Fitzgerald Haney to serve the United States of America as the Ambassador to Costa Rica.

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

RESOLUTION #203-08-26-14

**AUTHORIZE STATE CONTRACT PURCHASE OF VEHICLES FOR CODE ENFORCEMENT AND THE HEALTH
DEPARTMENT**

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

WHEREAS, the City of Englewood is a participant in the State Cooperative Purchase program and has the requirement for four (4) vehicles; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Capital Bond Ordinance #14-24(4) to award this contract.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract with Hertrich Fleet Services, Inc., Milford, DE under State Contract A83011 for the purchase of four (4) 2014 Jeep Patriot 4WD 4-Door Sport Utility Vehicles for a contract price of \$19,192.50 per vehicle and a total cost of \$76,770.00.

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

Mayor and Council Comments on Resolution #203-08-26-14:

- Councilman Skurnick asked why we are purchasing the vehicles in Resolution #203. Mr. Dacey explained that these purchases were approved and placed in the Capital Budget, and Mr. Dacey feels that it is necessary to replace these vehicles.
- Councilman Skurnick would like employees to use their own cars.
- Councilman Cohen reminded Councilman Skurnick that he voted for the Budget while Councilman Cohen voted against it.
- Councilman Forman stated that the City of Englewood keeps its vehicles for a very long time and considering depreciation over 12 years the \$80,000 is minimal.
- Mayor Huttie spoke about the process and how things should be handled. Should not get stuck in mudslinging and debate.

Public Session:

- Alva Jones 87 DuBois Court:
 - Spoke about the skate boarding park. She has been speaking the need for roller skating in the park for years. Wants the Mayor and Council to consider the skate board park and roller skating.
 - Commented that Violet Cherry was a great person in Englewood and the City should consider doing something to show its appreciation of her.
- Elle Kelly 350 Shepard Avenue:
 - Spoke about a letter he sent to the Mayor and Council and discussed his concerns.
 - Also spoke about late night chicken sales.
- Felicia Davis 63 Coriander Way:
 - Spoke about the afterhour's business of the chicken place at Wides Corner.
- Megan Holloway 407 Mountain View Road:
 - Represents young black adults in NJ and wants to hold an event in conjunction with law enforcement instructing young black man how to react. Councilman Hamer spoke about the "How to Act and React" event that has been held numerous times in conjunction with the NAACP and he will contact her.

RESOLUTION #204-08-26-14

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 Personnel

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

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.

() Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.

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

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

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

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

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

ADJOURN: 9:05 PM

Motion: Cohen

All in Favor

Lauren Vande Vaarst, RMC
City Clerk