

City of Englewood
City Council Meeting Minutes
August 10, 2010

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 President Scott Reddin
Council member Lynne Algrant
Council member Ken Rosenzweig
Council member Charlotte Bennett Schoen
Council member Jack Drakeford
Mayor Frank Huttle III
City Manager Daniel Fitzpatrick
City Solicitor William Bailey
City Clerk Lauren Vande Vaarst

President Reddin called the meeting to order.

The City Clerk stated that adequate notice of this meeting was given by the posting, filing and distribution of the Annual Notice of Meetings as required by the Open Public Meetings Act.

President Reddin asked those present to stand while the Pledge of Allegiance was recited.

Executive Session (Committee of the Whole):

1. Discussion of Liberty School/ John T. Wright Ice Arena Memo (Phillips Preiss Grygiel LLC- presented by Richard Preiss & Keenan Hughes)

Overview:

Study was conducted in the current economic climate.

Because of the current economic climate it may be better to rent the properties rather than sell them.

Phillips Preiss Grygiel LLC did not do a detailed Market Analysis of the properties.

Suggestion is for the City to put out a serious RFP for proposals, and not just one(s) to test the market.

Conclusions:

John T. Wright Ice Arena:

- Main question addressed was whether there is a compelling need for the facility in the City.
- Estimate that the Capital costs to convert the facility to a Community Center will be \$20 million dollars with an additional \$1.8 million dollars estimated for operating costs.
- Phillips Preiss Grygiel LLC suggest that the City do some improvements to the facility, such as a new Zamboni and Cooling Tower, to keep it running; or refurbish the facility so it may run at a higher level.

Liberty School:

- Because of Liberty School's historical value the best option is for an adaptive reuse of the property, and not to tear it down and rebuild. Suggested uses are a Performing Arts High School and /or a Community Center.

- There is currently not a real market for a Commercial and/or Retail use of the property. Conversion to a Residential use is viable with 20-30 units, but if new construction is included then the number of units could be doubled. Would bring additional residents to the downtown area and this has a multiplier effect of bringing additional people and their spending power to downtown.

Comments from the Mayor and Council:

Councilman Jack Drakeford – questioned the thoroughness of the Study. Feels that the community is looking for uses of the facilities that will enhance the quality of life for the residents and that this did not come through in the memo. Asked who was interviewed for the Study, and if the needs of the elderly and the children taken into consideration. Discussed residential usage of Liberty School that was mentioned in study.

Mayor Frank Huttle – mentioned that the Bergen PAC concept of a Performing Arts High School to be housed at the Liberty School was a very viable option because Bergen PAC was willing to purchase the Liberty School outright at fair market value and also had a potential private donor willing to contribute upwards of \$3 million dollars to purchase the property. This was a missed opportunity for the community, and criticized Phillips Preiss Grygiel LLC for not presenting this opportunity to the City Council and for blaming their delay of the study on a third party not for profit (Bergen PAC). Mr. Preiss said that he could not determine the financial viability of the Bergen PAC project because he needed more information, and the Mayor asked Mr. Preiss if he was aware that the Bergen PAC was willing to purchase the property for cash at whatever the fair market value was with private funds. Mr. Preiss' response was no. The Mayor was surprised that Mr. Preiss did not know this information, and that if the purchase was being made with private funds then the question of viability does not come into it. He also expressed his disappointment that Mr. Preiss was not aware of the facts particularly because those facts were presented at a public Planning Board. The Mayor, who was then the Chairman of the Board of Bergen PAC, did not feel it was his place to inform a consultant hired by the City.

The Mayor also stated that the memo's conclusion could have been presented long ago. The Mayor would like the City Council to appropriate funding to the Planning Board to perform a full and complete Master Plan, including a visioning and economic plan for the City. Overall the Mayor is pleased with the report especially in regard to the Liberty School that a residential building will not work there.

Councilwoman Charlotte Bennet t Schoen – asked what determines the market value of a building. Mr. Preiss explained how it is determined, and also discussed the building's value if it is a public or private building.

Councilman Ken Rosenzweig – inquired as to what is the fair market value of Liberty School today, and Mr. Preiss was unable to provide the value. Also asked if the Liberty School was ever worth the \$6.5 million dollars that the City Council at that time paid for it. It is now obvious that the City severely overpaid for the building and it appears to have been used as an end run around the voters to give money to the Board of Education. He then asked Mr. Preiss if school construction projects are normally done through referendums which are presented to the voters for approval, and Mr. Preiss said that is the normal procedure and a bond is usually raised which is paid for over time.

Council President Scott Reddin – what is the specific date that this property will be worth the most amount of money? The audience chuckled and Mr. Preiss stated that he wished he could provide that information.

Mayor Frank Huttle – How many residential units will the building hold if it remains intact and is rehabilitated, and how many units if the school is torn down and replaced by a midrise. Mr. Preiss said that if the building was left intact there could be 26-30 units constructed, and new construction would yield double that. The Mayor then explained the formula by which the fair market value is determined for a residential property. Hopes that after tonight they can finally put to rest the idea of tearing down a building of historic value to put in residential housing.

2. DPW Equipment (presented by Clyde Sweatt)

Dan Fitzpatrick – reminded everyone that after this past winter's storms that DPW was found lacking in equipment and that proposals would be put forth to request new equipment, and also contracting out.

Councilman Rosenzweig –asked Clyde Sweatt if we do purchase this new equipment and then decide to privatize services will the City be stuck with the equipment. Mr. Sweatt remarked that whomever we contract with would be required to purchase the City's equipment as part of the deal.

Council President Scott Reddin – feels that Mr. Sweatt’s list is asking for too much and could be pared down. Also asked about the shelf life of purchases for bonding as per State law, and maybe the State law needs to be changed to extend the life of an item beyond five (5) years. Mr. Sweatt said that the biggest problem we have had in the City is that we use the equipment until it is run into the ground and that we really should be turning it over more frequently and then it would have some trade-in value and we would not have a use request like this. Council President Reddin understands that and agrees but due to the current economic climate this is not the time to make such a large request for equipment.

Councilwoman Lynne Algrant – asked if we adopted a plan in the future to decommission equipment as it ages and replace it, what time frame would you see as workable. Mr. Sweatt said that we should purchase a new garbage truck every two (2) years and that should turn over the fleet in twenty (20) years. As for other equipment it depends on what it is, but if the City goes that route then you should expect to see a purchase every year but a request of this size.

Councilman Jack Drakeford – asked how long the DPW has been functioning without the garbage packer. Mr. Sweatt said about 5 months, but it is becoming critical because the leaf season is quickly approaching and the City will be operating with one less truck. Councilman Drakeford feels that they can keep operating in the current economic climate without it. Feels that even if DPW gets the new truck they may cut down on overtime but will not eliminate it. He is willing to revisit this in 2011 Budget but not in 2010.

3. Agenda Review

4. Closed Session

RESOLUTION #157-08-10-10

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
July 20, 2010

CLOSED SESSION
July 20, 2010

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #158-08-10-10

APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment; 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 list are hereby approved for payment in the total amount of \$1,669,250.93.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Rosenzweig</i>	X	X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

RESOLUTION # 159-08-10-10

AUTHORIZING THE ADOPTION OF THE 2010 BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, that the 2010 Budget, as approved on May 25, 2010, is hereby adopted;

BE IT FURTHER RESOLVED that the sums contained in the Official Budget constitute the appropriations and tax levy for the year 2010; and

BE IT FURTHER RESOLVED that the Budget authorizes the following:

\$47,214,620.00	in the Amount to be Raised Through Taxes for Municipal Purposes for 2010 (Including \$2,823,944 for the year 2010 BCUA Sewer Tax. accordingly, \$44,390,676.00 is raised through taxes for City purposes)
\$60,433,110.72	in Total Appropriations for 2010

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to complete Sheet 41 and 42 of the Official Budget and is further authorized to make the necessary adjustments to the City of Englewood Annual Financial Statements including account cancellations and establishing accounts receivable.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>	X	X			
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

RESOLUTION # 160-08-10-10

RESOLUTION AMENDING THE 2010 CAPITAL BUDGET FOR THE CITY OF ENGLEWOOD

WHEREAS the City Council is introducing two ordinances reappropriating funds no longer needed for their original purpose for the dredging of the Quarry Pond; and

WHEREAS N.J.A.C. 5:30-4.4B provides that the Capital Budget shall be amended to reflect any provisions, changes or inconsistencies with said Capital Budget; and

NOW THEREFOR BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, County of Bergen, New Jersey that the 2010 Capital Budget be amended to include the dredging of Quarry Pond not previously provided for in the Capital Budget:

CAPITAL BUDGET 2010	
Project title:	Dredging of Quarry Pond
Estimated Total Cost	\$280,000
Planned Funding for 2010	
Debt Authorized (5e)	\$280,000

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

RESOLUTION #161-08-10-10

APPROVING THE ENGLEWOOD SPECIAL IMPROVEMENT DISTRICT BUDGET FOR FY 2011

WHEREAS, the Englewood Special Improvement District budget for FY 2011 (July 1, 2010 - June 30, 2011) was approved by the Englewood Economic Development Corporation, the District Management Corporation, on June 16, 2010, and by the City Council on first reading on July 20, 2010; and

WHEREAS, N.J.S.A. 40:56-65 et seq. requires that the budget be approved by the City Council on second reading following a public hearing.

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

Section 1. The following budget for the Englewood Special Improvement District for FY 2011 is hereby approved.

<u>Revenues</u>		<u>Appropriations</u>	
Business License Fees	\$247,300	Promotions (bergenPAC)	\$60,000
Clean Communities Grant	30,000	Salaries	67,000
		DBIZ loan	33,000
		Imp. & Equip.	10,000
		Marketing program	75,000
		Events program	29,300
		Miscellaneous	3,000
Total Revenues	\$277,300	Total Appropriations	\$277,300

Section 2. The Englewood Economic Development Corporation is hereby authorized to make charges and payments for the Special Improvement District

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>	X	X			
<i>Drakeford</i>			X		
<i>Reddin</i>		X			

Communications from the Mayor/Council members:

Ordinances – Introduction/First Reading:

ORDINANCE # 10-16

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF TRUCKS AND EQUIPMENT FOR THE CITY OF ENGLEWOOD DEPARTMENT OF PUBLIC WORKS AND APPROPRIATING \$1,305,500 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,243,000 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Englewood, in the County of Bergen, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$1,305,500 including the sum of \$62,500 as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,243,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued is the acquisition of equipment and trucks for the City's Department of Public Works, including, but not limited to, garbage packers fit with snow plows, dump trucks, four wheel drive dump trucks, multi use tractor with V-plow and salt spreader, and a brine storage tank and pumping system, and including all work and materials necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes

pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the City Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,243,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$250,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) The City reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated there under (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required there under.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

COUNCIL	MOTION	VOTE
Algrant		N
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		N
Reddin	X	N

ORDINANCE #10-23

ORDINANCE AMENDING ARTICLE 12 SECTIONS 25-32 and 25-33 OF THE TRAFFIC AND PARKING ORDINANCE OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

WHEREAS, Article 12 Sections 25-32 and 25-33 sets forth requirements for parking in metered zones; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend said Sections as well as Schedule XXII which is specifically referenced therein;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Article 12, Sections 25-32 and 25-33, and Schedule XXII are amended to allow 2 hour metered parking in the following locations:

Depot Square South	South Side	Entire Length
Bergen Street	South Side	Entire Length
North Dean Street	West Side	Bergen Street to East Demarest Avenue
North Dean Street	East Side	Bergen Street to a point 225 feet south of the curb of East Demarest Avenue
North Van Brunt Street	Both Sides	West Palisade Avenue to Tallman Place
Park Place	Both Sides	Entire Length

Except as otherwise specifically amended above, the referenced Ordinances remain in full force and affect.

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

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		Y
Reddin	X	Y

ORDINANCE #10-24

ORDINANCE REAPPROPRIATING \$29,794 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$29,794 of the proceeds of obligations originally made available pursuant to Section 3(a) of Bond Ordinance No. 02-08 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted May 7, 2002 is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$29,794 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the dredging of Quarry Pond, including all work and materials necessary therefore or incidental thereto.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		Y
Reddin	X	Y

ORDINANCE #10-25

ORDINANCE REAPPROPRIATING \$249,597.72 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE DREDGING OF QUARRY POND LOCATED IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$249,597.72 of the proceeds of obligations originally made available pursuant to Section 3(h) of Bond Ordinance No. 07-01 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted February 13, 2007 is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$249,597.72 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the dredging of Quarry Pond, including all work and materials necessary therefore or incidental thereto.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		N
Reddin	X	Y

ORDINANCE #10-26

**AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY
APPROPRIATION IN THE SUM OF \$250,000 FOR THE REASSESSMENT
OF ALL REAL PROPERTY IN THE CITY OF ENGLEWOOD**

WHEREAS, the City of Englewood reevaluated all real property in calendar year 2006 and the results were incorporated onto the municipal tax records for the calendar year 2007; and

WHEREAS, N.J.S.A 18:12A-1.14 et. seq. permits a reassessment of all real property within the City; and

WHEREAS, due to the prevailing real estate market conditions the City Council of the City of Englewood determines that it is in the best interests of the future of the City to have a fair and equitable reflection of present values by performing a reassessment of all real property; and

WHEREAS, N.J.S.A. 40A:4-53 authorizes a municipality to adopt an ordinance authorizing special emergency appropriations for the preparation and execution of a complete program for the reassessment of real property,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Englewood, Bergen County, New Jersey, pursuant to N.J.S.A. 40A:4-53 (Chapter 48, P.L. 1956, as amended), as follows:

Section 1. The sum of \$250,000 is hereby appropriated for the preparation and execution of a reassessment of all real property within the City of Englewood for the use of the local assessor as a special emergency appropriation as defined in and provided for in N.J.S.A. 40A:4-53.

Section 2. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of the amount authorized pursuant to N.J.S.A. 40A:4-55.

Section 3. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This ordinance shall take effect immediately upon passage and publication as provided by law and upon the filing with the Director of the Division of Local Government Services and the Department of Community Affairs.

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		N
Reddin	X	Y

Ordinances – Second Reading/Public Hearing:

The following ordinance was approved on first reading at the Workshop meeting of the Mayor and Council held on July 13, 2010 and published in the July 15, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk

ORDINANCE #10-19

**ORDINANCE AMENDING ARTICLE 6 OF CHAPTER 3 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF
ENGLEWOOD AND REPEALING ORDINANCE NUMBER 05-23**

WHEREAS, the City of Englewood had previously adopted Ordinance Number 05-23 relating to the establishment of an affirmative action program; and

WHEREAS, the enforceability of said Ordinance under State and Federal law has been called into question; and

WHEREAS, it is the desire of the Governing Body of the City of Englewood to ensure that its Ordinances conform with State and Federal laws;

NOW, THEREFORE, BE IT ORDAINED that Ordinance Number 05-23 entitled an Ordinance Amending Article 6 of Chapter 3 of the revised General Ordinances of the City of Englewood relating to the Affirmative Action Program is hereby repealed.

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

FIRST READING: 07/13/2010

COUNCIL	MOTION	VOTE
Algrant		N
Rosenzweig		Y
Bennett Schoen	X	Y
Drakeford		N
Reddin		Y

DATE PUBLISHED IN THE PRESS JOURNAL: July 15, 2010

DATE PUBLIC HEARING HELD: August 10, 2010

DATE SECOND READING HELD: August 10, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		N
Rosenzweig		Y		Y	X	Y
Bennett Schoen		Y		Y		Y
Drakeford		Y		Y		N
Reddin	X	Y	X	Y		Y

The following ordinances were approved on first reading at the meeting of the Mayor and Council held on July 20, 2010, and published in the July 22, 2010 edition of the Press Journal. Copies have been available to the public since introduction in the Office of the City Clerk.

ORDINANCE #10-20

AN ORDINANCE AMENDING SCHEDULE XI OF SECTION 25-19 OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG A PORTION OF WALNUT STREET AND ALONG A PORTION OF BRAYTON STREET IN THE CITY OF ENGLEWOOD

WHEREAS, the Traffic Advisory Committee has recommended limited parking along a portion of Walnut Street and Brayton Street; and

WHEREAS, Walnut Street and Brayton Street are both under the jurisdiction of the City of Englewood; and

WHEREAS, N.J.S.A. 39:4-8 permits the City of Englewood to designate time limited parking and other parking restrictions along said streets without the approval of the Commissioner of Transportation.

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

Section 1. Schedule XI of Section 25-19 of Chapter 25 of the Revised General Ordinances of the City of Englewood, respecting limited parking on certain streets, is hereby amended to add thereto the following:

(i) "No Parking" signs be installed on both sides of Brayton Street from Walnut Street to Cedar Street, on Walnut Street from Brayton Street to Walnut Court, and on Cedar Street from Brayton Street 300 feet toward Lydecker Street or for a distance of 200 feet from the property line of the East Hill Synagogue, whichever is shorter; and

(ii) All of Brayton Street from East Palisade Avenue to Walnut Street and from Cedar Street to Johnson Avenue shall be established as one side of the street parking zones with parking of the west side of Brayton Street only; and

(iii) The remainder of Walnut Street from Lydecker Street to North Woodland Street shall be established as a single side of the street parking zone with parking on the south side of the street only; and

(iv) The remainder of Cedar Street from Lydecker Street to Brayton Street shall be established as a single side of the street parking zone with parking on the north side of the street only.

(v) Except as expressly modified above all existing parking restrictions and requirements shall remain in full force and effect.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

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

FIRST READING DATE: 07/20/2010

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		Y
Reddin	X	Y

DATE PUBLISHED IN THE PRESS JOURNAL: JULY 22, 2010

DATE PUBLIC HEARING HELD: AUGUST 10, 2010

DATE SECOND READING HELD: AUGUST 10, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Rosenzweig		Y		Y		Y
Bennett Schoen		Y		Y	X	Y
Drakeford		Y		Y		Y
Reddin	X	Y	X	Y		Y

ORDINANCE #10-21

AN ORDINANCE AMENDING SCHEDULE A, FEE REVISION RELATING TO CHAPTER 6 (ANIMALS), ARTICLE I (DOGS), 6-22 (PENALTY) OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD

WHEREAS, the Board of Health of the City of Englewood requests that Schedule A, Fee Revision relating to Chapter 6 (Animals), Article I (Dogs), 6-22 (Penalty) of the Revised general Code of the City of Englewood be amended.

WHEREAS, the Board of Health feels that the penalties are extremely low and do not serve as a deterrent for curbing behavior; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Englewood, Bergen County, New Jersey, that Chapter 6 of the Revised General Ordinances of the City of Englewood is hereby amended as follows:

Section 1. Article 1, Section 6-22 of Chapter 6 is hereby amended to read as follows:

Any person who violates, or who fails or refuses to comply with any provision of this chapter shall be liable for a fine of not more than \$1,000 and subject to imprisonment for a period not to exceed 90 days, except that for violations of Sections 6-2, 6-5 and 6-21, the penalty shall be a fine of not more than \$200 and except that for a violation of 6-11, the penalty shall be a fine of not more than \$750.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, section, clause or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this ordinance.

Section 4. This ordinance shall take effect upon final passage and publication according to the law.

FIRST READING DATE: 07/20/2010

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		Y
Reddin	X	Y

DATE PUBLISHED IN THE PRESS JOURNAL: JULY 22, 2010

DATE PUBLIC HEARING HELD: AUGUST 10, 2010

DATE SECOND READING HELD: AUGUST 10, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y	X	Y
Rosenzweig		Y		Y		Y
Bennett Schoen		Y		Y		Y
Drakeford		Y		Y		Y
Reddin	X	Y	X	Y		Y

ORDINANCE #10-22

AN ORDINANCE APPROVING PAYMENTS IN LIEU OF TAXES FOR THE MULTIPLE DWELLING CONSTRUCTED BY ENGLEWOOD TERRACE, LLC WITHIN THE PALISADES SOUTH REDEVELOPMENT AERA PURSUANT TO THE FIVE (5) YEAR EXEMPTION AND ABATEMENT LAW (N.J.S.A. 40A:21-1 ET. SEQ.) AND ORDINANCE #10-11

WHEREAS, Englewood Terrace, LLC, (the "Entity") owns certain property known as Block 2401, Lot 1.01 C002 on the City's Official Tax Map, (the "Property"); and

WHEREAS, the Property is located in the City of Englewood, within the Palisade South Redevelopment Project Area in an area previously found to be in need of redevelopment; and

WHEREAS, the Entity has filed an application ("Application") for a tax exemption for a project involving 188 residential rental units (the "Project"); and

WHEREAS, the City of Englewood is authorized to adopt an ordinance to utilize tax exemptions/abatements pursuant to N.J.S.A. 40A:21-1 et. seq., the Five (5) Year Exemption and Abatement Law for qualified projects; and

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., the City of Englewood adopted Ordinance #10-11, ("the Ordinance") to allow Five (5) Year Tax Exemptions which authorizes the City to enter into tax agreements with developers of qualified projects for the exemption and abatement of local real estate property taxes and the payment of an amount in lieu of full property taxes;

WHEREAS, pursuant to N.J.S.A. 40A:21-1 et seq., and Ordinance #10-11, a tax exemption for new construction of multiple dwellings is permissible in the Palisade South Redevelopment Project Area; and

WHEREAS, the Application for tax exemption was timely filed on June 18, 2010; and

WHEREAS, the Property in 2010 is expected to generate approximately \$674,000 in taxes; and

WHEREAS, upon review of the Application the City Council has determined that the proposed Project Land and Improvements are eligible for tax exemption pursuant to N.J.S.A. 40A:21-9 and the Ordinance and that it is in the best interests of the City to enter into a Tax Agreement for the Project; and

WHEREAS, under the Five-Year Tax Exemption and proposed tax agreement, the Project Land and Improvements would be exempt from local real estate taxation for a period of five (5) years and the Entity would be required to pay the City a payment in lieu of taxes based on a five-year phase-in of the taxes which would otherwise be due on the Project Land and Improvements as completed as set forth in the Schedule of Estimated Annual Payment-in-Lieu of Tax and Pre-Payments-Exhibit A; and

WHEREAS, the Entity has also agreed to pre-pay certain portions of the Payment-in-Lieu-of-Taxes subject to each prepayment being credited back as set forth in Exhibit A; and

WHEREAS, upon the expiration of the tax exemption, it is estimated that the Project Land and Improvements will generate a conventional tax payment of approximately \$925,000.

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

1. The above recital is incorporated as if fully set forth at length herein.
2. The Application for a Five (5) Year Tax Exemption for the Project Land and Improvements is hereby approved.
3. The City Manager is hereby authorized to execute a Five-Year Tax Exemption Agreement ("Tax Agreement") for the Project which shall contain, at a minimum, the following terms and conditions:
 - (a) The Project Land and Improvements shall be exempt from local real estate taxation for a period not to exceed five (5) years;
 - (b) The Entity shall make payments-in-lieu-of-taxes on the Project Land and Improvements estimated to be as set forth in Exhibit A attached;

- (c) The Entity shall prepay a portion of the payments-in-lieu-of-taxes in Years 1 and 2 of the Tax Agreement terms and shall receive corresponding credits in Years 4 and 5 all as set forth in Exhibit A.
 - (d) The "taxes otherwise due" for the Project Land and Improvements shall be based on a total assessed value of \$34,250,000;
 - (e) The Tax Agreement shall take effect on January 1, 2011 and shall have a duration of five (5) years unless terminated prior thereto.
 - (f) With respect to the transfer of the property, where it is determined that the new owner of the property will continue to use the property pursuant to the conditions which qualified the property, the exemption shall continue and Agreement shall remain in effect; and
 - (g) At the termination of the Tax Agreement, the Project Land and Improvements shall be subject to all applicable real property taxes as provided by State law and regulation and local ordinance; but nothing herein shall prohibit a tax project, at the termination of an agreement, from qualifying for, and receiving the full benefits of, any other preferences provided by law.
- the Tax
- prohibit a tax
4. The Municipal Clerk shall forward a copy of the Tax Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of the date of execution of the Tax Agreement.
 5. The Tax Agreement shall be subject to such provisions of Ordinance #10-11, as may be applicable.
 6. All ordinances and parts of ordinances inconsistent herewith, excepting the Ordinance, are hereby repealed.
 7. This ordinance shall take effect at the time and in the manner provided by law.

FIRST READING DATE: 07/20/2010

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Bennett Schoen		Y
Drakeford		Y
Reddin	X	Y

DATE PUBLISHED IN THE PRESS JOURNAL: JULY 22, 2010

DATE PUBLIC HEARING HELD: AUGUST 10, 2010

DATE SECOND READING HELD: AUGUST 10, 2010

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y	X	Y
Rosenzweig		Y		Y		Y
Bennett Schoen		Y		Y		Y
Drakeford		Y		Y		Y
Reddin	X	Y	X	Y		Y

Public Hearing on Ordinance 10-22:

Eugene Skurnick, 296 Marlboro Road – opposed to this Ordinance and inquired as to why tax abatements were ever given.

Public Comment on Agenda Items:

Eugene Skurnick, 296 Marlboro Road – discussed Mayor's veto of Ordinance #10-15; upkeep of Parks; Police Salaries; and the spending of Capital funds.

Curtis Caviness 41 E. Forest Avenue – spoke about following processes and that everything should go through the City Manager.

RESOLUTION #162-08-10-10

AUTHORIZE ISSUE OF DUPLICATE TAX SALE CERTIFICATE

WHEREAS, the Tax Collector of the City of Englewood has previously issued a tax sale certificate to ABT-TEC or its designee, which certificate is dated October 29, 2009 covering premises commonly known and referred to as Lot 7 in Block 2007 as set out on the municipal tax map then in use which certificate bears Number 09-21; and

WHEREAS, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the Tax Collector of the City of Englewood be and is hereby authorized, having received the appropriately executed and notarized Affidavit of Loss, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

BE IT FURTHER RESOLVED that a copy of this Resolution and the Affidavit of Loss be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #163-08-10-10

**AUTHORIZE SOUTHEAST SENIOR CENTER FOR INDEPENDENT LIVING
APPLICATION FOR BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, a Bergen County Community Development grant of \$219,376 has been proposed by Southeast Senior Center for Independent Living for Operating Expenses 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	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #164-08-10-10

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

WHEREAS, a Bergen County Community Development grant of \$50,000 has been proposed by Center for Food Action for operation of seven (7) food pantries in the City of Englewood and six other Bergen County towns; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

WHEREAS, the aforesaid project is in the best interest of the people of Englewood; and

WHEREAS, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #165-08-10-10

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

WHEREAS, a Bergen County Community Development grant of \$80,000 has been proposed by Center for Food Action for Security deposits in the City of Englewood and six other Bergen County towns; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

WHEREAS, the aforesaid project is in the best interest of the people of Englewood; and

WHEREAS, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #166-08-10-10

MODIFICATIONS OF LOCAL IMPROVEMENT BOARD MEMBERS

WHEREAS, the City Council of the City of Englewood has heretofore created and established within the City of Englewood a Local Improvement Board for the purpose of evaluating and assessing the benefits conferred on any real estate by the construction of an access road to Route 4 pursuant to Ordinance No. 05-19; and

WHEREAS, Ordinance No. 05-19 has recently been amended by Ordinance No. 10-13 which reduced the membership of the Local Improvement Board from seven members to five members;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the following persons are hereby removed from the Local Improvement Board to complete the required membership for as long as needed to fulfill the requirements of Ordinance No. 10-13:

Michael Erber 92 Booth Avenue, Englewood, NJ 07631

Bryant Austin- Wingood 395 Marlboro Road, Englewood, NJ 07631

Jean Lakreisha 200 W. Ivy Lane, Englewood, NJ 07631

Willie Ealey 381 Murray Avenue, Englewood, NJ 07631

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION #167-08-10-10

APPOINTMENTS TO LOCAL IMPROVEMENT BOARD

WHEREAS, the City Council of the City of Englewood has heretofore created and established within the City of Englewood a Local Improvement Board for the purpose of evaluating and assessing the benefits conferred on any real estate by the construction of an access road to Route 4 pursuant to Ordinance No. 05-19; and

WHEREAS, Ordinance No. 05-19 has recently been amended by Ordinance No. 10-13 which reduced the membership of the Local Improvement Board from seven members to five members, with members appointed by the City Council;

WHEREAS, due to the resignation of one of the members of the Local Improvement Board a vacancy now exists, which the City Council needs to fill;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the following persons are hereby appointed to the Local Improvement Board to complete the required membership for as long as needed to fulfill the requirements of Ordinance No. 10-13:

Michael John Mellor, 109 Grand Avenue #5D Englewood, NJ 07631

Devry B. Pazant, 23 Tributary Plaza Englewood, NJ 07631

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

RESOLUTION # 168-08-10-10

Override Veto of Ordinance No. 10-15

RESOLUTION # 168-08-10-10 was pulled from the agenda.

Public Session:

Elle Kelly 350 Shepard Avenue – inquired about the number of employees on Sick Leave/ Disability in DPW. Has the City Council considered leasing equipment versus purchasing? Spoke about Parking Garage.

Eugene Skurnick, 296 Marlboro Road – discussed comparable communities that have reduced overtime and how did they do it. Investigate productivity and do an analysis as compared to these other communities.

Michelle Smith 10 Mevan Avenue – asked about status of rebate for Tributary Woods Homeowners Association.

Jack Silberman 320 Murray Avenue – questions regarding items on Bills and Claims List.

Curtis Caviness 41 E. Forest Avenue – inquired as to why the work on Rock Creek Basketball Courts has not yet been completed. Commented that Preiss report had inaccuracies regarding the operating costs of the Rodda Community Center in Teaneck.

Norman Gorlyn 150 Madison Avenue – discussed difference between his current tax bill and from 10 years ago. Also asked questions regarding Ordinance # 10-26.

Sandy Greenberg 449 Liberty Road – urged the City to conduct a clean-up of the debris at Miller’s Pond. Spoke about the reorganization of the Englewood Police Department.

Shirley Smith 374 W. Palisade Avenue – spoke about the Preiss Report and encouraged the City Council not to put residential units in the Liberty School. Discussed the condition of the road and sidewalk on Palisade Avenue to the monument and that the bus stop that was removed be replaced. Also spoke about cars speeding when they are coming in from Teaneck.

Helen Kiphaut 99 Charles Street – spoke about Preiss report and the previous suggestion to make Liberty School an office building and even move the municipal offices there. Discussed that the Police and Fire Departments in the City are union. Read newspaper article about special needs housing.

Cornelia Rogers 141 Humphrey Street – pointed out item on Bills and Claims List and raises for City Manager and DPW workers.

Leonardo Acosta 81 Charles Street – spoke about Ordinance for zone change on James Street and cleaning of James Court parking lot. Request to allow the public to speak earlier at the meetings because they run so late.

RESOLUTION #169-08-10-10

PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Litigation

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

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

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

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Bennett Schoen</i>		X			
<i>Drakeford</i>		X			
<i>Reddin</i>		X			

Council went into Closed Session at 11:30PM and returned to Open Session at 11:45PM

ADJOURN: 11:45PM

Motion: Scott Reddin
All in Favor

Lauren Vande Vaarst, RMC
City Clerk