

**City of Englewood
City Council Meeting Minutes
April 12, 2011**

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 Ken Rosenzweig
 Council member Lynne Algrant
 Council member Michael Cohen
 Council member Scott Reddin
 Council member Jack Drakeford
 Mayor / Council President Frank Huttle III
 City Manager Daniel Fitzpatrick
 Assistant City Manager Robert Gorman
 City Solicitor William Bailey
 City Clerk Lauren Vande Vaarst

Council President Huttle called the meeting to order.

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

RESOLUTION #087-04-12-11

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
 March 29, 2011

COUNCIL WORKSHOP
 April 5, 2011

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X		X 3/29/11	
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>					X
<i>Drakeford</i>	X	X			

Old Business:

RESOLUTION #083-04-12-11

APPOINT RECREATION ADVISORY COMMITTEE MEMBERS

BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointments are confirmed to the Recreation Advisory Committee for the following terms:

Ken Rosenzweig, 143 Booth Avenue, appointed as City Council Liaison to fulfill an unexpired one-year term commencing March 29, 2011 and expiring December 31, 2011.

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

RESOLUTION # 084-04-12-11

A discussion concerning the repair/replacement of the cooling tower ensued. City Engineer cannot do an assessment of the cooling tower and a consultant specializing in them would have to do it.

A motion was made by Councilman Drakeford and seconded by Councilman Cohen to postpone the vote on Resolution #084-04-12-11. The votes were as follows:

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

The motion was defeated and the Resolution #084-04-12-11 was voted on.

RESOLUTION # 084-04-12-11

**AUTHORIZING 1-YEAR LEASE EXTENSION
FOR THE JOHN T. WRIGHT ARENA**

WHEREAS, the City of Englewood had previously awarded a lease to MacKay Ice Arena, Inc. to operate the John T. Wright Arena (the "Ice Rink") for the 2010-2011 season at an annual rent of \$15, 012; and

WHEREAS, the lease contained an option for a 1-year extension to operate the ice arena for the 2011-2012 season and the leasee, MacKay Ice Arena, Inc. wishes to exercise this option, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the 1-year option for the extension of lease for the operation of the Ice Rink is hereby approved in the amount of \$15,012 in accordance with the previously awarded contract

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute and the City Clerk to attest to the lease extension agreement.

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

RESOLUTION #088-04-12-11

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 \$ 784,699.21.

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

Communications from the Mayor/Council Members:

Ordinances- Introduction/First Reading:

ORDINANCE #11-02

AN ORDINANCE REQUIRING A DEBT MANAGEMENT PLAN FOR THE CITY OF ENGLEWOOD

WHEREAS, the City of Englewood currently has outstanding debt; and

WHEREAS, it is the goal and desire of the Governing Body of the City of Englewood to reduce debt service obligations where possible and develop a five (5) year debt management plan; and

WHEREAS, such plan would include a five (5) year projection of the City's operating budget as well as a five (5) year capital improvement plan in conjunction with the corresponding debt management plan; and

WHEREAS, the Governing Body deems it fiscally prudent to reduce debt where possible and initiate steps to limit long term debt applications in an effort to ease the burden on the City's taxpayers; and

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

1. As part of the annual budget process, the City Manager will produce a projection of the City's operating budget for the current year as well as the next four (4) years (a total of five (5) years);
2. As part of the annual budget process, the City Manager will perform an analysis and projection of a capital improvement plan with a corresponding debt management plan for the current year as well as the following four (4) years;
3. Where possible, the City will accelerate principal payments on authorized debt with the goal of paying down the principal amount on all authorized debt, at a rate of not less than five percent (5%) per annum of the then authorized principal balance as reported on the most recent Annual Debt Statement. Such 5% payment shall be inclusive of all minimum payments otherwise required by law. The City Manager shall provide an estimate of the interest savings to the City if such 5% payment is made versus the minimum payments required by law. If the City Manager, after completion of the debt management plan recommends against the accelerated principal payment for any budget year, such reasons shall be communicated in writing to the Governing Body.
4. The City Manager will prepare the debt management plan in accordance with policy objectives articulated by the Governing Body.
5. All Ordinances are part thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Cohen	X	Y
Reddin		Y
Drakeford		N

ORDINANCE #11-03

AN ORDINANCE AMENDING SCHEDULES XI OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG SOUTH DEAN STREET

WHEREAS, the City Council desires to change the current 2-hour parking zone to permit an Ambulance Only and Patient Drop-off parking zone along a portion of South Dean Street in order to comply with the State requirements for medical buildings;

NOW, THEREFORE, BE IT ORDAINED by the City 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, relating to Parking Prohibited at All Times on Certain Streets, is hereby amended to add thereto the following:

Street	Side	Location

South Dean Street	West	Parking will be limited to Ambulance only and patient drop-off parking from a point 40 feet south of the southwest corner of Englewood Avenue to a point 60 feet south thereof.
-------------------	------	---

All Ordinances or any part thereof inconsistent herewith are repealed to the extent of any such inconsistency.

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

COUNCIL	MOTION	VOTE
Algrant	X	Y
Rosenzweig		Y
Cohen		Y
Reddin		Y
Drakeford		Y

ORDINANCE #11-04

AN ORDINANCE AMENDING THE SCHEDULE XII OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PARKING ALONG CERTAIN STREETS WITHIN THE CITY OF ENGLEWOOD

WHEREAS, the City Council desires to change the current parking requirements along the Streets listed in Exhibit A annexed hereto in order to prohibit parking on said streets from 10:00 a.m. to 11:00 a.m. (except weekends and holidays); and

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

1. Section 1 Schedule XII of Section 25 – 20 relating to parking prohibited during certain hours on certain streets is hereby amended as follows:

No parking shall be permitted from 10:00 a.m. to 11:00 a.m. (except weekends and holidays) on the Streets and locations annexed hereto as Exhibit A;

NOW, THEREFORE, BE IT FURTHER ORDAINED that consistent with the parking restrictions listed in Exhibit A, the no parking area on the north side of Franklin Street as set forth in Schedule X of Chapter 25 (and as adopted by Ordinance No. 02-02) is hereby rescinded as this Section is now included in the one hour prohibited parking Ordinance. The south side of Franklin Street shall remain no parking.

All Ordinances or a part thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

EXHIBIT A

49 Total Streets

First Ward (7)

No Parking from 10 a.m. to 11 a.m. (except weekends & Holidays)

Booth Ave.	South	From a point 190 feet east of the easterly curb line of Engle St, eastward to a point 700 feet east of the easterly curb line of Engle St.
Booth Ave.	North	From a point 298 feet east of the easterly curb line of Engle St., eastward to a point 700 feet east of the easterly curb line of Engle St.
Chestnut St.	North	Engle St. to King St.
Church St.	North	Engle St. to Winthrop Pl.
East Hamilton Ave.	North	Engle St. to King St.
Valley Pl.	Both	From Concord St to Hudson Ave
Winthrop Pl.	West	Entire Length

Second Ward (21)

No Parking from 11 a.m. to 12 noon (except weekends & Holidays)

Allison Ct.	Both	Entire Length
Audubon Rd.	Both	From Madison Ave. south for entire length
Broad Ave.	East	Madison Ave. to Van Nostrand Ave.
Broad Ave.	West	Madison Ave. to Walton St.

Chester Pl.	East	Entire Length
Dwight Pl.	East	E. Palisade Ave. to Lyman Pl.
Franklin St.	North	Entire Length
Grant St.	Both	Entire Length
Knapp Pl.	Both	Entire Length
Lyman Pl.	South	Entire Length
Madison Ave.	Both	Entire Length
Mary St.	Both	Entire Length
Phelps Ave.	Both	Entire Length
Rockwood Pl.	Both	Broad Ave. to Grand Ave.
Sheffield Ave.	Both	From Grand Ave. to Broad Ave.
Starling Rd.	Both	From Madison Ave to a point 200 feet thereof
Summit St.	West	From a point 500 feet south of E. Palisade Ave to a point 750 feet south of E. Palisade Ave
Tracey Pl.	North	Entire Length
Van Nostrand Ave.	Both	From Broad Ave to South Dean St
Van Nostrand Ave.	Both	From Jones Rd to the easterly terminus Thereof
Walton St.	Both	Entire Length

Third Ward (9)

No Parking from 10 a.m. to 11 a.m. (except weekends & Holidays)

Cross St.	Both	Entire Length
Grove St.	North	Entire Length
Levinsohn Pl.	Both	Entire Length
Morris Ave.	Both	Entire Length
Slocum Ave.	North	Erie-Lackawanna RR tracks to Pindle Ave
Slocum Ave.	South	Erie-Lackawanna RR tracks to West St
Waldo Pl.	West	From Demott St to West Demarest Ave
West Hamilton Ave.	South	From Waldo Pl. to Pindle Ave.
West Palisade Ave.	Both	From Tenafly Rd. to the Teaneck line

Fourth Ward (12)

No Parking from 11 a.m. to 12 noon (except weekends & Holidays)

Brookway Ave.	East	Entire Length
Brookway Ave.	West	Entire Length
Cottage Pl.	West	A. Entire length
Genessee Ave.	Both	From Lafayette Pl. to a point 400 feet West
Howland Ave.	Both	From Mattlage Pl. to Orange St.
Mattlage Pl.	East	Entire Length
Park Ave.	Both	Entire Length
Reade St.	Both	Entire Length
Reade St.	East	From southerly curb of W. Englewood Ave. to a point 380 feet south of said curb
Shepard Ave.	North	Mattlage Pl. to Palisade Pl.
Shepard Ave.	South	Mattlage Pl to Orange St
Washington Pl.	Both	From Mattlage Pl. to Palisade Pl

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Cohen		Y
Reddin	X	Y
Drakeford		N

ORDINANCE #11-05

AN ORDINANCE APPROPRIATING \$40,000 FROM CAPITAL FUND SURPLUS OF THE CITY OF ENGLEWOOD FOR THE CONTRACTING OF LICENSED PROFESSIONALS TO COMPLETE THE NJDEP REPORTING REQUIREMENTS AND OTHER RELATED COSTS FOR THE CLOSEOUT OF THE MILLER'S POND DREDGING PROJECT

WHEREAS, the City previously completed a dredging project of Miller's Pond, which is located on property owned by the Englewood Board of Education; and

WHEREAS, the City Engineer has been notified by the New Jersey Department of Environmental Protection (“NJDEP”) that the City must engage a licensed site remediation professional to close out the project in accordance with NJDEP regulations

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

Section 1. There is hereby appropriated from Capital Fund Surplus of the City of Englewood the sum of \$40,000 to be used to contract with licensed professionals to complete the reporting requirements mandated by the NJ Department of Environmental Protection and other related costs for the closeout of the Miller’s Pond dredging project performed by the City of Englewood.

Section 2. This ordinance shall take effect immediately upon final passage and publication as required by law.

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Cohen		A
Reddin	X	Y
Drakeford		N

Ordinances- Second Reading/Public Hearing:

ORDINANCE # 11-01

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK FOR CALENDAR YEAR 2011
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the City Council of the City of Englewood in the County of Bergen finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the City Council of the City of Englewood hereby determines that a 3.5% increase in the budget for said year, amounting to \$696,088.29 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the City Council of the City of Englewood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Englewood, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the City of Englewood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$696,088.29 and that the CY 2011 municipal budget for the City of Englewood be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption; and

BE IT FURTHER ORDAINED, this ordinance shall take effect ten (10) days after the publication thereof after its final passage, as required by law, and except as otherwise provided in N. J. S. A. 40:49-7 to 9.

COUNCIL	MOTION	VOTE
Algrant	X	Y

Rosenzweig		Y
Cohen		Y
Reddin		Y
Drakeford		Y

DATE PUBLISHED IN THE PRESS JOURNAL: March 17, 2011

DATE PUBLIC HEARING HELD: March 29, 2011

DATE SECOND READING HELD: April 12, 2011

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

Public Hearing Ordinance # 11-01: *No one from the public came forward*

Public Comment on Agenda Items: *No one from the public came forward*

RESOLUTION # 089-04-12-11

**PLACE -TO- PLACE TRANSFER
OF PLENARY RETAIL CONSUMPTION LICENSE**

WHEREAS, an application has been filed for a place to place transfer of Plenary Retail Consumption License #0215-33-005-009, Parea LLC t/a Nisi, for the purpose of expanding the premises under license wherein the sale, service and storage of alcoholic beverages are authorized; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood does hereby approve, effective April 12, 2011, the expansion of the aforesaid Plenary Retail Consumption Licensed premises, Parea LLC t/a Nisi, located at 90 Grand Avenue, Englewood, New Jersey to place under license the front sidewalk area as delineated in the application form and the sketch of the licensed premises attached thereto.

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

RESOLUTION #090-04-12-11

**AWARD PROFESSIONAL SERVICES CONTRACT TO RBA ENGINEERS TO PROVIDE SERVICES TO FLAT ROCK
BROOK NATURE CENTER FOR QUARRY POND DREDGING**

WHEREAS, the City Council of the City of Englewood had approved the dredging project and funding for the Quarry Pond in 2010 and awarded a professional services contract to RBA Engineers to prepare plans and permits for the dredging project; and

WHEREAS, the testing of sediment in the pond revealed contamination that requires further testing, evaluation, permitting and remediation as part of the dredging project which requires the services of a Licensed Site Remediation Professional (LSRP) for permitting and project management in accordance with NJDEP regulations; and

WHEREAS, the City Engineer has recommended that RBA Engineers, located at 7 Campus Drive, Suite 300, Parsippany, New Jersey 07054 be engaged 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 \$24,876.00 (\$20,730.00 plus a 20% contingency amount for the total of \$24,876.00) in the 2011 operating year for the following services:

- Public Notification and Public Outreach
- Delineation Sediment Sampling
- Laboratory Sampling Fees, Extraction and Holding Fees for Step-Out Samples
- Air-Monitoring and Field Equipment
- Other Direct Expenses (such as signage and mailings)

WHEREAS, RBA Engineers 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 RBA Engineers to provide professional services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and RBA Engineers to provide the above referenced scope of work for the dredging project at Quarry Pond;

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 Press Journal 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.

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

RESOLUTION #091-04-12-11

APPOINTING CITY ARBORIST

WHEREAS, the Environmental Commission and the Green Team of the City of Englewood received a grant from the State of New Jersey in 2010 in the amount of \$10,000 and the City of Englewood authorized a contribution of an additional \$10,000, in "in kind" services to the project via Resolution # 145-07-06-10; and in conjunction with this grant the City of Englewood needs to rewrite its Forestry Management Plan, conduct both a City Tree Inventory and Hazard-Health Assessment of the City's trees; and

WHEREAS, the City of Englewood requires the services of a certified Arborist whose duties will include conducting the City Tree Inventory and Hazard-Health Assessment of the City's trees as well as other services required to be performed by an Arborist; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Stephen Schuckman of First Mountain Arboriculture LLC, with offices at 37 Oak Grove Road, Caldwell, New Jersey 07006 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 \$17,500 in the 2011 operating year: 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 First Mountain Arboriculture LLC to provide professional arborist

services, and the City Manager is hereby authorized to execute and attest to an agreement between the City of Englewood and First Mountain Arboriculture LLC.

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement 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 Press Journal 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.

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

RESOLUTION #092-04-12-11

AUTHORIZE REJECTION OF BID
“CHAIN LINK FENCING, BACKSTOPS, NEW INSTALLATIONS
AND REPAIRS TO EXISTING INSTALLATIONS”

WHEREAS, sealed bids were received on April 6, 2011, for “Chain Link Fencing, Backstops, New Installations and Repairs to Existing Installations” in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, one vendor’s bid was properly received and opened, but was deemed insufficient as per the specifications of the bid; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the bids received for “Chain Link Fencing, Backstops, New Installations and Repairs to Existing Installations” are hereby rejected and that the “Chain Link Fencing, Backstops, New Installations and Repairs to Existing Installations” be rebid in accordance with specifications therefore and following public advertisement thereof pursuant to law.

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

RESOLUTION #093-04-12-11

Approve Waiver of Permit Fee

WHEREAS, Rebuilding Together Bergen County is a nonprofit program that organizes volunteers to renovate and repair homes in Bergen County for low-income homeowners, particularly those who are elderly or disabled. The program is held annually on National Rebuilding Day, which this year is on Saturday, April 30, 2011. The renovations and repairs are done at no cost to the homeowner and may include plumbing and electrical work, safety improvements (such as railings, grab-bars, stairs, flooring, smoke and /or carbon monoxide detectors) and modifications for accessibility and energy efficiency; and

WHEREAS, Rebuilding Together Bergen County has selected a homeowner in the City of Englewood to be benefit from this service for 2011; and

WHEREAS, Rebuilding Together Bergen County is requesting that any Construction and Code Enforcement permit fees from be waived so that more of their budget can go towards repairs and increase the amount of work they are able to provide; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that any Construction and Code Enforcement permit fees hereby be waived in regard to the services being provided by Rebuilding Together Bergen County to the City of Englewood resident as part of this year’s National Rebuilding Day program being held on Saturday, April 30, 2011.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			

<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

Public Hearing on the 2011 Budget: *No one from the public came forward*

Public Session:

Jerry Chambers 294 Garden Street – spoke about the utilization of the ice rink facility.

Jeanne Hopewell 380 Liberty Road – spoke about the ice rink.

Curtis Caviness 41 E. Forest Avenue – discussed governance of the City, and that when decisions are made they should be made regarding the City in its entirety.

RESOLUTION #094-04-12-11

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

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

Personnel and 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.
- (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	X			
<i>Rosenzweig</i>		X			

<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

ADJOURN: 10:30PM

Motion: Algrant

All in Favor

Lauren Vande Vaarst, RMC
City Clerk