

**City of Englewood  
City Council Meeting Minutes  
January 28, 2014**

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A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 7:00 P.M.

**Roll Call:**

Present: Council member Marc Forman (7:18PM)  
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 #058-01-28-14**

**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:

Litigation and Contract Negotiations

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

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

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

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

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

**The Council entered into Closed Session at 7:13PM and concluded at 7:28PM. The Council then reconvened in open Executive session at 7:528PM.**

**RESOLUTION #040-01-28-14**

**RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETINGS  
January 7, 2014

COUNCIL WORKSHOP MEETINGS  
January 14, 2014

CLOSED SESSION MEETINGS  
October 8, 2013  
October 22, 2013  
November 12, 2013  
November 26, 2013  
December 3, 2013  
December 10, 2013  
December 17, 2013

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

**RESOLUTION #041-01-28-14**

**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 \$6,522,401.63.

<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	X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>					X

**Communications from the Mayor/Council Member**

**Comments from the City Manager:**

2014 Budget is being finalized and will be delivered to the Mayor and Council this Friday. Budget meeting dates are being discussed for February and March.

DPW has been handling the recent snow events very well, and are revising snow plan to allow them to develop the best snow removal model.

Work continues on long term financing and the City is looking to get the Bonds to market by early April.

The banner poles on Palisade Avenue were pulled down this weekend by an oversized truck.

Spring Registration for Recreation programs is currently ongoing and the programs will begin in February. The numbers of registered residents are lower than expected.

**ORDINANCE #14-01**

**BOND ORDINANCE APPROPRIATING \$7,650,000 FOR CONSTRUCTION OF A FIRE HOUSE AND AUTHORIZING THE ISSUANCE OF \$7,267,500 OF BONDS AND/OR BOND ANTICIPATION NOTES FOR SAID IMPROVEMENT, AUTHORIZED TO BE UNDERTAKEN IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY**

**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 the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement and purpose described in Section 3 of this Bond Ordinance are hereby authorized as a capital improvement to be made or acquired by the City of Englewood, County of Bergen, New Jersey (hereinafter referred to as the "City"). For said improvement or purpose stated in Section 3 hereof, there is hereby appropriated the sum of \$7,650,000. A down payment of \$382,500 is herein appropriated from the capital improvement fund or other funds of the City as the downpayment for the purposes or improvements authorized herein, in accordance with the provisions of the Local Bond Law (N.J.S.A.40A:2-1 *et seq.*, hereinafter the "Law").

Section 2. For the financing of said obligations and to meet the part of said \$7,650,000 appropriation not otherwise provided for hereunder, negotiable bonds of the City are hereby authorized to be issued in a principal amount not to exceed \$7,267,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed \$7,267,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed \$7,267,500, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said City and attested as permitted by law. The appropriate City officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the City (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 3. The improvement hereby authorized and the purpose for which said obligations are to be issued is as follows:

Improvements/Purposes	Estimated Cost	Downpayment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
Construction of a new Fire House to include but not limited to building design and construction, site work, furniture and equipment, construction management, contingency for additional expenses and costs, and including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	\$7,650,000	\$382,500	\$7,267,500	30

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3 of this bond ordinance is not a current expense and is property or an improvement which the City may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized by this bond ordinance, the period of usefulness is 30 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made 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, and such Statement shows that the gross debt of the City determined as provided in said Law is increased by this bond ordinance by \$7,267,500 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.

(d) Amounts not exceeding \$1,530,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purpose described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvement, obligation or acquisition or to payment of the obligation issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and, unless paid from other revenues of the City, the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. 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 of the State of New Jersey, Department of Community Affairs, 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 City Clerk and is available there for public inspection.

Section 8. The City reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

FIRST READING DATE: January 14, 2014

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

DATE PUBLISHED IN THE RECORD: January 17, 2014

DATES PUBLIC HEARINGS HELD: January 28, 2014

DATE SECOND READING HELD: January 28, 2014

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

**Public Hearing on Ordinance #14-01:**

Fire Chief Gerald Marion 11 William Street:

- Expressed his appreciation and thanked the Mayor and Council and for beginning the process to secure a new home for the Englewood Fire Department. This building will be a source of pride for both the Fire Department and the City of Englewood.

**Mayor and Council comments on Ordinance #14-01:**

Councilman Skurnick spoke about Wayne Hamer’s idea to give special consideration to contractors and vendors to spend money in the City of Englewood. Contractors should hire Englewood residents and train them. The City of Englewood should expend the same effort that the Englewood Public School District did with the school construction programs. Mayor Huttel spoke about the importance of the economics of the City and about the community being one. The Firemen need a home which is safe and a point of pride for the City. It is important that the Mayor and Council make this happen because the existing Fire House is insufficient for the Fire Department’s needs. The new Fire House has been a long time coming and has been a priority for the Mayor since he took office in 2010. He agrees with Councilman Skurnick about companies hiring people from Englewood as long as the City complies with the State Public Contracting Laws. The Mayor is pleased that he will no longer have to take visitors to the Fire House at 10PM during a rain storm to see the rain coming into the building.

**ORDINANCE #14-02**

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-11  
SCHEDULE IV OF THE TRAFFIC AND PARKING ORDINANCE  
OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, Chapter 25, Section 25-11 Schedule IV the following intersections are designated as stop intersections within the City of Englewood; and

**WHEREAS**, the Governing Body of the City of Englewood wishes to add the following streets to the Schedule IV.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-11, Schedule IV is hereby amended as follows to add the following street as a stop intersection:

**Street(s)**  
Chestnut Street/Johnson Avenue/ Brayton Street

**Location of Stop Sign(s)**  
On Chestnut Street for eastbound traffic and on Johnson Avenue for southbound Traffic.

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

FIRST READING DATE: January 28, 2014

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

**ORDINANCE #14-03**

**AN ORDINANCE AMENDING CHAPTER 8 BOARDS, COMMISSIONS AND AGENCIES, SECTION 8-18 ARTICLE IV ADVISORY COMMITTEES OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, Chapter 8 Boards, Commissions and Agencies, Section 8-18 Article IV, Subsection B (1) provides for the membership of the Recreation Advisory Committee; and

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend the aforesaid Section.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 8 Boards, Commissions and Agencies, Section 8-18 Article IV, Subsection B (1) is hereby amended as follows:

B. Recreation Advisory Committee.

**[Amended 12-7-1982 by Ord. No. 82-48; 2-4-1992 by Ord. No. 92-04; 6-1-1999 by Ord. No. 99-14]**

(1) Eight **Twelve** members consisting of one **two** members from each ward and four members at large, with staggered terms so as to result in the expiration of no more than three terms in any one year, appointed by the City Council.

FIRST READING DATE: January 28, 2014

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

**Mayor and Council comments on Ordinance #14-03:**

Councilman Skurnick does not see a need to expand the Recreation Advisory Committee and will be voting "No" on this ordinance.

**ORDINANCE #14-04**

**AN ORDINANCE AMENDING CHAPTER 425 TREES OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend Chapter 425 Trees; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 425 Trees, Article II is hereby amended as follows:

**Section 425-7, Definitions:**

**EMERGENCY REMOVAL** A removal which is necessitated by any event, whether natural or man-made, which requires the immediate removal of a regulated tree because it has been determined that such tree presents an imminent hazard to the public's safety. Such determination shall be made by a certified arborist or City official as authorized by the City Manager. ***Emergency Removals shall be authorized by the City Engineer prior to a permit however, a permit and replacement plan shall be required within seven (7) days of removal. If a permit application is not received within seven days of removal, the City may take the enforcement steps in this ordinance.***

**SECTION 425-11, TREE REPLACEMENT PLAN, SUBSECTION B (3):**

Replacement trees, including the size and number of trees, shall be planted in accordance with the following table:

Size of Tree Removed (inches DPM)	Number of Replacement Trees With a DPM of at Least 2½- 3 ½ Inches
8 but less than 12 inches	1
More than 12 but less than 18 inches	2
More than 18 but less than 24 inches	3
More than 24 but less than 36 inches	4
More than 36	To be determined in consultation with the City Engineer after consideration of the project, but in any event, not less than 6

**SECTION 425-12, CONTRIBUTION TO TREE FUND IN LIEU OF PLANTING:**

In certain circumstances, the City Engineer may authorize a contribution to the City's Environmental Commission Tree Fund in lieu of planting replacement trees on site where he determines that the purposes of this article would be furthered thereby. Such contribution shall bear a reasonable relationship to the cost of planting trees which would otherwise be required under § ~~425-11~~ of this article, but in no case shall it be less than ~~\$200~~ **\$250** per required replacement.

**SECTION 425-13, EXEMPTIONS, SUBSECTION H:**

H. Emergency removals (*a permit is required within seven (7) days after the removals*).

**SECTION 425-15, EXEMPTIONS, SUBSECTIONS A-C:**

An application for a tree removal permit shall be accompanied by the required fee as set forth below:

A. Permit for each tree removal: as provided for in Chapter 191, Fee Schedule.

B. Projects involving 1/2 acre of land or less and for each additional 1/2 acre or part thereof above one acre: as provided for in Chapter 191, Fee Schedule.

C. An escrow shall be established in the amount of ~~two times the permit fee~~ **\$250 per tree** which shall be retained until the tree replacement plan is completed. Engineering review fees in connection with the implementation of a tree replacement plan shall be paid from the escrow at the rate established for engineering review fees in connection with site plan approval. In addition, in the event the tree replacement plan is not completed within the time specified by the City Engineer, the City may use such escrow to complete the tree replacement plan or, in lieu thereof, deposit said escrow in the Tree Replacement Fund. Upon completion of the tree replacement plan, the balance remaining in said escrow after payment of the foregoing fees, if any, shall be returned to the applicant.

**SECTION 425-17, APPEAL PROCESS:**

*Appeal of a decision by the City Engineer:*

*In the event that an applicant does not agree with either the rejection of an application or the conditions imposed by the City Engineer, the applicant may present an appeal to the City Manager, who at his discretion may request assistance from a Representative of the Englewood Environmental Commission and the City Manager will render a decision within 30 days of the submittal.*

FIRST READING DATE: January 28, 2014

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

**Mayor and Council comments on Ordinance #14-04:**

Councilman Skurnick commented that this is a great ordinance and we need to support trees.

**ORDINANCE #14-05**

**AN ORDINANCE AMENDING CHAPTER 191 FEES OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend Chapter 191 Fees, Section 191-10 Planning and Engineering; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 191 Fees, Section 191-10 Planning and Engineering is hereby amended as follows:

Tree removal permit	§ <del>425-15</del>
<del>1/2 acre or less-</del>	<del>\$200-</del>
<del>Each additional 1/2 acre or part thereof above 1 acre-</del>	<del>\$50-</del>

Each tree removed \$50 *per tree fee with the regulated tree being the 3rd tree removed over a three year period*

FIRST READING DATE: January 28, 2014

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

**ORDINANCE #14-06**

**AN ORDINANCE AMENDING CHAPTER 358 SOIL EROSION AND SEDIMENT CONTROL; SOIL REMOVAL, ARTICLE II, SECTION 358-14 OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, the Governing Body of the City of Englewood wishes to amend Chapter 358 Soil Erosion and Sediment Control; Soil Removal, Article II, Section 358-14; and

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 358 Soil Erosion and Sediment Control; Soil Removal, Article II, Section 358-14 is hereby amended as follows:

**Section 358-14, Soil Removal and Deposit:**

Except as otherwise required herein, no person shall disturb any soil upon or transfer soil from or to any property within the City of Englewood without first obtaining a permit therefor from the City Engineer. ***Any change in ground elevation that results in a 2 ft. elevation gain or more within 30 ft. of any side or rear yard property line requires a variance from the Englewood Board of Adjustment. The variance shall be granted only upon the applicant's proof that the impact on adjoining property owners shall be minimal either because:***

1. *Site lines are obscured because of vegetative screening or*
2. *Site lines resulting from the grade change present minimal intrusion to the neighbors because of the configuration and/or layout of the respective property."*

FIRST READING DATE: January 28, 2014

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

**Mayor and Council comments on Ordinance #14-06:**

Mayor Huttle thanked Council President Algrant for placing this ordinance on the agenda and for her work on the Englewood Environmental Commission. He spoke about his personal experience in 2008 when 50 trees were taken down from a property abutting his and that the topography changes caused flooding due to runoff.

**Public Comment on Agenda Items:**

No one from the Public came forward to speak

**RESOLUTION #042-01-28-14**

**2013 RESERVE BUDGET TRANSFERS**

**WHEREAS**, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward at the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the previous fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

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



**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the Chief Financial Officer is hereby authorized to make transfers from Current Fund Budget Accounts for the year 2013 where a deficit would possibly occur on or before March 31, 2014 pursuant to and in accordance with provisions N.J.S.A. 40A:4-59, and according to the schedule attached hereto.

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

**CITY OF ENGLEWOOD**

**2013 RESERVE BUDGET TRANSFERS**

<u>Description</u>	<u>Account</u>	<u>TO</u>	<u>FROM</u>
CITY MGR-S&W	3-01-20-100-XXX	\$0.00	
CITY MGR-O/E	3-01-20-100-XXX	\$0.00	
HR-S&W	3-01-20-105-XXX		\$0.00
HR-O/E	3-01-20-105-XXX	\$0.00	
CLERK-S&W	3-01-20-120-XXX	\$0.00	
CLERK-O/E	3-01-20-120-XXX		\$0.00
FINANCE-S&W	3-01-20-130-XXX	\$0.00	
FINANCE-O/E	3-01-20-130-XXX	\$0.00	\$0.00
DATA PROCESS-O/E	3-01-20-140-XXX		\$0.00
TAX COLLECT-S&W	3-01-20-145-XXX		\$0.00
TAX COLLECT-O/E	3-01-20-145-XXX	\$0.00	
LEGAL O/E	3-01-20-155-XXX		\$0.00
C DEV-S&W	3-01-20-170-XXX	\$0.00	
C DEV-O/E	3-01-20-170-XXX		\$0.00
CODE ENF-S&W	3-01-22-195-XXX	\$0.00	
CODE ENF-O/E	3-01-22-195-XXX	\$0.00	\$0.00
INSUR-MED	3-01-23-210-XXX		\$0.00
POLICE-S&W	3-01-25-240-XXX	\$0.00	\$45,000.00
POLICE-O/E	3-01-25-240-XXX	\$0.00	\$0.00
EMS-S&W	3-01-25-252-XXX		\$0.00
FIRE-S&W	3-1-25-265-XXX		\$15,000.00
FIRE-O/E	3-01-25-265-XXX	\$0.00	\$0.00
ROADS-S&W	3-01-26-290-XXX		\$10,000.00
DPW ADMIN-O/E	3-01-26-300-XXX	\$0.00	
BLDG & GRDS-O/E	3-01-26-310-XXX	\$0.00	\$0.00
SEWER-S&W	3-01-26-302-XXX	\$0.00	
SEWER-O/E	3-01-26-302-XXX	\$0.00	
SANITATION-S&W	3-01-26-305-XXX	\$0.00	
SANITATION-O/E	3-01-26-305-XXX	<b>\$80,000.00</b>	\$0.00
PARK MAINT-S&W	3-01-26-306-XXX	\$0.00	
CONST & FAC-S&W	3-01-26-311-XXX	\$0.00	
CONST & FAC-O/E	3-01-26-311-XXX	\$0.00	

CENT MAINT-S&W	3-01-26-315-XXX	\$0.00	\$10,000.00
CENT MAINT-O/E	3-01-26-315-XXX	\$0.00	\$0.00
CONDO REIM	3-01-27-370-XXX		\$0.00
TERMIN LEAVE	3-01-27-350-XXX	\$0.00	
REC-S&W	3-01-28-370-XXX	\$0.00	
REC-O/E	3-01-28-370-XXX		\$0.00
COURT S&W	3-01-43-490-XXX	\$0.00	\$0.00
COURT O/E	3-01-43-490-XXX	\$0.00	
HEALTH INS	3-01-23-210-XXX		\$0.00
UTILITIES-GAS & EL	3-01-31-446-XXX		\$0.00
LEAF DISPOSAL	3-01-31-455-XXX		\$0.00
BCUA-SOLID WASTE	3-01-31-455-XXX		\$0.00
PROP MAINT ABATE	3-01-20-175-XXX		\$0.00
CITY PHYSICIAN	3-01-27-355-XXX		\$0.00
PROSECUTOR S&W	3-01-20-275-XXX		\$0.00
	S/T	\$80,000.00	\$80,000.00

The accounts in the "FROM" column have more funding than necessary while the accounts in the "TO" column have insufficient funds to cover anticipated expenses through the end of the year 2013.

This resolution transfers funds from the accounts that have too much money to the ones that need money.

**RESOLUTION #043-01-28-14**

**AWARD PROFESSIONAL SERVICES CONTRACT FOR REAL ESTATE APPRAISER TO DEFEND THE 2013 TAX APPEALS FILED WITH THE BERGEN COUNTY BOARD OF TAXATION**

**WHEREAS**, the City of Englewood requires the services of a qualified Real Estate Appraiser to assist in defending the 2013 Tax Appeals filed with the Bergen County Board of Taxation; and

**WHEREAS**, on the recommendation of the City Manager and the City Tax Assessor, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Realty Appraisal Co. with offices located at 4912 Bergenline Avenue, West New York, New Jersey 07093, 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 be at a rate of \$100.00 per hour, not to exceed \$10,000 in the 2014 operating year; and

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

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

**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 Realty Appraisal Co to provide assistance in defending the 2013 Tax Appeals filed with the Bergen County Board of Taxation, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Realty Appraisal Co;

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

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

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

**RESOLUTION #044-01-28-14**

**AWARD PROFESSIONAL SERVICES CONTRACT TO PIAZZA ENGINEERING FOR SURVEYS OF ENGLEWOOD STREETS**

**WHEREAS**, the City of Englewood requires a consultant to provide professional surveying services for the following various Englewood street surveys as located in the City of Englewood:

- Elkwood Terrace from Hudson Avenue to Davison Place, a distance of approximately 1,830 lineal feet plus intersections.
- Whitewood Road from Hudson Avenue to Davison Place, a distance of approximately 1,330 lineal feet plus intersections.
- Hudson Avenue from Elkwood Terrace to Overpeck Creek culvert, a distance of approximately 1,025 lineal feet plus intersections.

**WHEREAS**, the surveyor shall provide a complete topographic survey and plans for the above referenced streets (approximately 4,185 lineal feet) which shall include the services as outlined in their proposal dated December 16, 2013; and

**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 Piazza Engineering, 2-14 Fair Lawn Avenue, Fair Lawn, New Jersey 07410 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 \$20,500, plus project coordination and reimbursable expenses; and

**WHEREAS**, Piazza Engineering 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 Piazza Engineering to provide professional surveying services for the aforementioned various Englewood street surveys as located in the City of Englewood; 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 11-10 (b)

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

**RESOLUTION #045-01-28-14**

**REFUNDS DUE TO COUNTY BOARD OF TAXATION APPEALS**

**WHEREAS**, a judgment has been received from the Bergen County Board of Taxation for the following Block and Lots in the City of Englewood; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the Chief Financial Officer be and he is hereby authorized to refund overpayment of the property taxes in the amount of \$47,744.21 for said years due to successful judgments.

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

**RESOLUTION #046-01-28-14**

**REFUND DUE TO VETERAN DEDUCTION**

**WHEREAS**, Mr. John Joseph Leonessa, has filed an application for a Property Tax Deduction for Veterans with proper supporting documentation thus making him eligible for the \$250 deduction on property taxes.

**WHEREAS**, Mr. Leonessa having satisfied his property tax obligations for the year 2013 now reflects an overpayment of \$250.00 for said year.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, hereby authorize the Chief Financial Officer to issue a check in the amount of \$250.00 to Mr. John Joseph Leonessa, 54 Highwood Avenue, Englewood, NJ 07631 also known as Block 712, Lot 13; and,

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Tax Collector.

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

**RESOLUTION #047-01-28-14**

**REFUND DUE TO VETERAN DEDUCTION**

**WHEREAS**, Mr. Robert Eastman, has filed an application for a Property Tax Deduction for Veterans with proper supporting documentation thus making him eligible for the \$250 deduction on property taxes.

**WHEREAS**, Mr. Eastman having satisfied his property tax obligations for the year 2013 now reflects an overpayment of \$250.00 for said year.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, hereby authorize the Chief Financial Officer to issue a check in the amount of \$250.00 to Mr. Robert Eastman, 208 Jane Street, Englewood, NJ 07631 also known as Block 507, Lot 1; and,

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Tax Collector.

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

**RESOLUTION # 048-01-28-14**

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

**WHEREAS**, an application has been filed for a place-to-place transfer of a Plenary Retail Distribution License 0215-44-004-007, heretofore issued to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants for the premises located at 3 East Palisade Avenue, Englewood, NJ 07631 to be transferred to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants for premises located at 1 Engle Street, Englewood, NJ 07631; 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

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Englewood does hereby approve, effective April 1, 2014, the place-to-place transfer of the aforesaid Plenary Retail Distribution License to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants, and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants and to the premises located at 1 Engle Street, Englewood, New Jersey 07631 effective April 1, 2014."

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

**RESOLUTION #049-01-28-14**

**CANCELLATION OF OLD OUTSTANDING CHECKS**

**WHEREAS**, it has been determined that there exist outstanding checks from 2010 through June 30, 2013 in the following funds:

Current Fund	\$ 20,396.01
Trust Fund	\$ 43.00
Developers Trust Fund	\$ 5,326.65
Payroll Fund	\$ 35,763.13
Capital Fund	\$ 7,099.70
Payroll Agency	\$ 29.54

**WHEREAS**, the Chief Financial Officer of the City of Englewood has confirmed that these checks remain outstanding at this time and recommends the cancellation of these checks;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the total amount of \$68,658.03 in outstanding checks be cancelled.

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

**RESOLUTION #050-01-28-14 (Not Adopted)**

**RESOLUTION FOR A ZERO PERCENT TAX RATE  
INCREASE IN THE 2014 MUNICIPAL BUDGET**

**WHEREAS**, the City of Englewood is desirous of maintaining the vibrancy, livability, and affordability of the community for all its residents; and

**WHEREAS**, over the past 3 budget years the City has proven its ability to not raise taxes while maintaining and/ or increasing the level of services for all its residents; and

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Englewood, County of Bergen, hereby expresses its desire to finalize a municipal budget that will not result in an increase in the municipal purpose tax rate for the 2014 Budget year in order to insure the continued efficient and effective operation of the City.

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

**Mayor and Council comments on Resolution #050-01-28-14:**

Councilman Cohen read a statement regarding his support for this resolution and to continue the trend to provide the residents of Englewood with a high level of service without raising taxes. He stated that he has introduced this resolution every year since he got on the Council and he considers this to be a Mission Statement.

Councilman Skurnick will be voting "No" on this resolution for the third year in a row. He spoke about the end of the year tax sale, increases in recreation fees, decreases in the recreation budget and that he had to fight to get them additional funding. Does not want Recreation and Library budgets to be cut.

Councilman Forman said that since he and Councilman Skurnick have gotten into office the recreation fees have gone down not up.

Mayor Huttler clarified that the prior City Manager raised recreation fees to the surprise of the Mayor and Council; this was especially surprising to the late Councilman Jack Drakeford. Since that time positive things have happened. The City Manager had proposed a cut in Library funding in 2012 but it did not take effect and the Library instead received additional funding. Mayor Huttler will be working full time with the Library Board to continue to insure proper funding and efficiency of the operation. He does not necessarily support Councilman Cohen's Mission Statement but does want to provide the City's residents with more rather than less.

Councilman Cohen explained the State requirements for Library funding and that the City of Englewood regularly provides the Library with funding above the State minimums. Recreation fees had not been increased in twenty years and had to be adjusted. A survey was conducted of surrounding towns and Englewood is currently still lower. Funding is provided so that all children can participate and no one is denied. Moving the Tax Sale saved the City \$3 million dollars which prevented a tax increase for all. Approximately 99% of the City's taxpayers pay on time and only 1% is late. The majority should not be punished by having to subsidize those who do not pay on time. His goal is to insure the affordability of the town for its residents. Councilman Skurnick needs to check the Budget for the facts.

**RESOLUTION #051-01-28-14**

**RESOLUTION TO APPROVE CHANGES IN SCHEDULE OF DUES  
FOR FLAT ROCK BROOK NATURE ASSOCIATION**

**WHEREAS**, the City of Englewood and the Flat Rock Brook Nature Association are parties to a lease agreement covering the area commonly known as Flat Rock Brook, dated July 20, 1976; and

**WHEREAS**, Section XI and Section XII of the said lease agreement require that the City Council approve by Resolution any change in the schedule of dues as requested by the Flat Rock Brook Nature Association before such dues can be put into effect; and

**WHEREAS**, the Flat Rock Brook Nature Association has by letter dated January 10, 2014 requested that the schedule of dues be amended; and

**WHEREAS**, the City Council of the City of Englewood having reviewed the proposed changes in the schedule of dues finds the changes necessary and in order.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the following dues scheduled, as recommended by the Flat Rock Brook Nature Association, are hereby approved as follows:

Category	Current Annual Dues	Proposed Annual Dues	Proposed Dues- 3 Years
Senior Citizen ( 65+)	\$20	<b>\$25</b>	N/A
Individual	\$30	No change	<b>\$75</b>
Family	\$45	<b>\$50</b>	<b>\$125</b>
Sustaining	\$75	<b>\$100</b>	N/A
Sponsor	\$150	No change	N/A
<b>Ten Year</b>	N/A	<b>\$1,500</b>	N/A
Life	\$1,500	<b>\$5,000</b>	N/A

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be sent to the Flat Rock Brook Association.

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

**RESOLUTION #052-01-28-14**

**APPOINT BOARD OF HEALTH MEMBERS**

**BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment is confirmed to the Board of Health for the following term:

Stephanie Davis, 348 Ivy Lane, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

JoEllen Bostick, 122 Orange Street, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Bertha-Nora Acosta, 81 Charles Street, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

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

**RESOLUTION #053-01-28-14**

**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:

Suah Hwang, 2303 Windsor Park Court, be appointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Shirley Smith, 374 W. Palisade Avenue, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Jason Silverstein, 202 Allison Court, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Rachel Dube, 419 Whitewood Road, be appointed as a member to fulfill an unexpired three-year term expiring December 31, 2014.

Anthony David, 276 Coolidge Avenue, be appointed as a member to fulfill an unexpired three-year term expiring December 31, 2015.

Betty Griffin, 208 Warren Street, be appointed as a member to fulfill an unexpired three-year term expiring December 31, 2014.

Marc Forman, 275 Engle Street, appointed as City Council Liaison to a one-year term commencing January 1, 2014 and expiring December 31, 2014.

Appointing Jeffrey Richardson, 312 Central Avenue, to serve as Chairman of the Recreation Advisory Committee commencing January 1, 2014 and expiring December 31, 2014.

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

**Mayor and Council comments on Resolution #053-01-28-14:**

Councilman Skurnick wants more 3<sup>rd</sup> Ward members on all Boards and Committees.

**RESOLUTION #054-01-28-14**

**APPOINT TRAFFIC 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 Traffic Advisory Committee for the following terms:

Alfred Snowman, 121 Huguenot Avenue, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

David Popkin, 303 Tenafly Road, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Ann Schiebel, 162 Lydecker Street, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Lisa Shafer, 87 Spring Lane, be reappointed as a member to a three-year term commencing January 1, 2014 and expiring December 31, 2016.

Michael Cohen, 181 Madison Avenue, appointed as City Council Liaison to a one-year term commencing January 1, 2014 and expiring December 31, 2014.

Appointing Fernando Rosario, 186 Liberty Road, to serve as Chairman of the Traffic Advisory Committee commencing January 1, 2014 and expiring December 31, 2014.

Appointing Charles Cobb, 113 Marilyn Court, to serve as Secretary of the Traffic Advisory Committee commencing January 1, 2014 and expiring December 31, 2014.

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

**RESOLUTION #055-01-28-14**

**APPOINT HOUSING AUTHORITY MEMBER**

**BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment is confirmed to the Englewood Housing Authority for the following term:

Beverly Baker, 289 Oakwood Road, be appointed as a member to a five-year term commencing January 1, 2014 and expiring December 31, 2018.



Jennifer Johnson-Rothman, 143 Engle Street, D5, be appointed as a member to fill an unexpired five- year term expiring December 31, 2016.

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

**RESOLUTION #056-01-28-14**

**APPOINT COUNCIL LIAISON TO THE  
ENGLEWOOD ECONOMIC DEVELOPMENT CORPORATION (EEDC)**

**BE IT RESOLVED**, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment is confirmed to the Englewood Economic Development Corporation (EEDC) for the following term:

Marc Forman, 275 Engle Street, appointed as City Council Liaison to a one-year term commencing January 1, 2014 and expiring December 31, 2014.

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

**RESOLUTION #057-01-28-14**

**RESOLUTION HONORING REVEREND VERNON WALTON**

**WHEREAS**, Reverend Vernon Walton, has been honored to serve as the Senior Pastor of Mount Calvary Baptist Church in Englewood since 1998. Born and raised in Jersey City, New Jersey, Reverend Walton received the call to the ministry while in high school, which he later answered as a college student. He earned his Bachelor of Arts Degree in Sociology & Criminal Justice from Virginia Union University and earned his license to preach in 1989 and was ordained in 1993. He then enrolled in the New York Theological Seminary, where he received his Master of Divinity Degree in 1997 and began his journey on the path to the ministry. Reverend Walton also earned his Doctor of Ministry Degree from the United Theological Seminary of Dayton, Ohio in December 2003; and

**WHEREAS**, Reverend Vernon Walton, not only answered the call to the church pulpit but also to the public one; and was proudly elected to serve the residents of the City of Englewood as Councilman-At-Large from 2004 to 2007 and the residents of all of Bergen County as a member of the Board of Chosen Freeholders from 2008 to 2010. Reverend Walton has continued to serve his communities of Englewood and Bergen County through service on various boards and organizations; Commissioner on the Bergen County Board of Elections since 2012, Commissioner on the Englewood Housing Authority since 2012, and implemented the Mount Calvary's Community Development Corporation, Calvary Cares program which provides an After-School Program for children; and

**WHEREAS**, Reverend Walton was voted among *Gospel Today*'s "most loved pastors" of 2001, and has been the recipient of numerous awards and accolades. To his credit, he has been honored with the NAACP's Edward P. Dixon Award for Community Service as well as Humanitarian Awards from the National Conference for Community and Justice and the Jabari Society of Bergen County. Most notable, however, was being selected as one of the "20 To Watch" under forty by the African American Pulpit Journal, (Summer 2005), the Premiere African American Preaching Journal; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honors Reverend Vernon Walton, for his long-time service and commitment to the residents of the City of Englewood and the County of Bergen and wish him continued success in his new endeavor as Reverend Walton moves on in his new position as Pastor of First Baptist Church of Vienna, Virginia beginning February 1, 2014.

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

<b>Cohen</b>		<b>X</b>			
<b>Hamer</b>					<b>X</b>

**Mayor and Council comments on Resolution #057-01-28-14:**

Councilwoman Algrant spoke about honoring Vernon Walton was at the suggestion of Councilman Hamer. Mayor Huttel commented that Vernon Walton's leaving is a great loss to the City of Englewood and Bergen County. He has been a spiritual leader for the community as well as a public servant and he is disappointed that Reverend Walton is leaving.

Councilman Skurnick has known Vernon Walton since Reverend Walton came to Englewood and that they have a friend in common who lives in Bluefield, WV. He used to walk the track with Reverend Walton in the mornings, and he will be greatly missed.

**Public Session:**

- Anthony Cureton, NAACP President and resident at 383 Marlboro Road::
- o He is here this evening representing the NAACP, and he read the organization's Mission Statement.
  - o It was the consensus of the membership that he brings this concern to the Mayor and Council. The NAACP is concerned that the Department Heads do not reflect the community and its residents. Other than Police and Fire, only the Recreation Department is headed by a minority. He asked about efforts to encourage residents and minorities to apply. Wants to meet with the Affirmative Action Officer.
  - o Thanked the City for naming the new Fire House in honor of Jack Drakeford.

**RESOLUTION #059-01-28-14**

**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:

Litigation and Contract Negotiations

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

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

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

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

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

**ADJOURN: 9:05 PM**

Motion: Skurnick  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk