

City of Englewood City Council Meeting Minutes April 21, 2015

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

Roll Call:

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

Absent:

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.

Presentation: by JoEllen Bostick, President - Englewood Board of Health to Phyllis Brown, Director of Community Affairs, Englewood Hospital and Medical Center for 25 years of support and partnership for the Youth Health Education Program

Resolution Honoring Aleza Baltruch Winslow

RESOLUTION #099-04-21-15

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
 March 24, 2015

COUNCIL WORKSHOP MEETINGS
 April 7, 2015

COUNCIL BUDGET MEETING
 March 25, 2015

CLOSED SESSION MINUTES
 November 12, 2014
 November 25, 2014
 December 2, 2014
 December 16, 2014A
 December 16, 2014B
 January 14, 2015
 February 3, 2015
 February 10, 2015
 March 10, 2015
 March 24, 2015

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

RESOLUTION #100-04-21-15

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 \$6,114,502.25.

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			

Communications from the Mayor/Council Member:

Comments from the City Manager:

- The City had a very competitive bond sale and sold \$38 million dollars worth of bonds, paying an effective rate of .24%. The City will only pay \$90,000 in interest over the next year. The City has retained its AA with a positive outlook bond rating. The closing went well today and the City is flush and ready to move ahead with its Capital programs. The offering statement was placed on the City website if anyone wants to take a look at it.
- Interviews for the Recreation Summer Program were held tonight.
- Mayor's Town Hall meeting held the other night and some residents had complained about the late hours that Crown Chicken is open and he asked the Council to discuss revising the closing hours.
- The new garbage and recycling cans distribution began today and should be completed by Friday. Letters and FAQ sheet were included and the letters will also be mailed by Friday.
- Signed many of the Outdoor Seating Permits so you will begin to see people eating outdoors at the City's restaurants. Tim and Walter will be spot checking to make sure that all of the licensees stay in compliance.
- Frantz Volcy is actively working on Capital Projects and we are looking to award projects at the second meeting in May and/or first meeting in June.

Public Hearing on Amendments to the 2015 Budget:

- No one from the Public came forward to speak

RESOLUTION #101-04-21-15

RESOLUTION TO AMEND 2015 BUDGET

WHEREAS, the local municipal budget for the year 2015 was approved on the 10th day of March, 2015 and;

WHEREAS, the public hearing on said budget was held as advertised on April 7, 2015; and

WHEREAS, the advertisement for said amendment will be published on April 17, 2015 in the Bergen Record; and

WHEREAS, it is desired to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the following amendments to the approved budget of 2015 be made:

	FROM	TO
	INTRODUCED	ADOPTED
SUMMARY OF REVENUES		
1. Surplus Anticipated	<u>\$4,200,000</u>	<u>\$4,300,000</u>
5. Subtotal General Revenues (Items 1,2,3 and 4)	<u>\$12,945,866</u>	<u>\$13,045,866</u>
6. Amount to be Raised by Taxes for Support of Municipal Budget:		

a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes	<u>\$46,243,122</u>	<u>\$45,764,122</u>
Total Amount to be Raised by Taxes for Support of Muni Budget	<u>\$47,801,404</u>	<u>\$47,322,404</u>
7. Total General Revenues	\$60,747,270	\$60,368,270

SUMMARY OF APPROPRIATIONS

General Appropriations –Operations within CAP:

8. Medical and Surgical	\$4,932,000	\$4,882,000
Health Benefit Waiver	\$60,000	\$50,000
(A) Operations – Within “CAPS”	\$41,685,100	\$41,625,100
Total operations including Contingent-within “CAPS”	\$41,691,100	\$41,631,100
Total General Appropriations for Municipal Purposes within “CAPS”	\$47,556,100	\$47,496,100
Capital Improvements-Excluded from CAPS:		
Capital Improvement Fund	\$450,000	\$350,000
Total Capital Improvement-Excluded From CAPs	\$450,000	\$350,000
Municipal Debt Service –Excluded from CAPS:		
Interest on Bonds	\$981,000	\$982,000
Interest on Notes	\$450,000	\$230,000
(D) Total Municipal Debt Service-Excluded from “CAPS”	\$6,231,300	\$6,012,300
(H-2) Total General Appropriations for Municipal Purposes Excluded from “CAPS”	\$12,791,170	\$12,472,170
(L) Subtotal General Appropriations	\$60,347,270	\$59,968,270
Total General Appropriations	\$60,747,270	\$60,368,270

BE IT FURTHER RESOLVED, that three (3) certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the 2015 Local Municipal Budget so amended.

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

Public Hearing on Resolution #101-04-21-15:

No one from the Public came forward to speak

RESOLUTION #102-04-21-15

AUTHORIZING THE ADOPTION OF THE 2015 BUDGET

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, that the 2015 Budget, as approved on March 10, 2015 and amended on April 21, 2015, is hereby adopted;

BE IT FURTHER RESOLVED that the sums contained in the Official Budget constitute the appropriations and tax levy for the year 2015; and

BE IT FURTHER RESOLVED that the Budget authorizes the following:

\$45,764,122.00 in the Amount to be Raised Through Taxes for

Municipal Purposes for 2015 (Including \$3,090,000 for the year 2015 BCUA Sewer Tax. Accordingly, \$42,674,122.00 is raised through taxes for City purposes)

\$ 1,558,282.00 in Minimum Library Tax

\$60,368,270.00 in Total Appropriations for 2015

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

Mayor and Council Comments on Resolution #102-04-21-15:

- Mayor Huttel in listening to the comments he wants to highlight that he disagrees that in the future the taxes will rise because the City is in the first phase of a turnaround and our City is strong and the City is about the economy and improving our revenues which will allow us to increase spending where needed but that does not necessarily equate to an increase in taxes as the Council President had articulated to Mr. Skurnick. It is not simply about generating rateables in the wrong places but about growing our economy to benefit all in the City and I know other people around this table who share this view.
- Councilman Skurnick said that we are talking a lot about services and I have spoken to people in the 3rd ward that the City has been having a lot of contests so he wants to hold a contest in the 3rd ward for anyone who is the first to see a street sweeper in the ward will get a special prize because there has not been one seen in 2 months. So services are suffering and I do appreciate what the Mayor is saying but actions speak louder than words. Spoke about empty storefronts and the City is facing a plateau in economic growth from earlier recession and we may not be doing enough. Will mention ratable issue again and developing E. Palisade Avenue property, and take a property not currently on the tax rolls because it is owned by a church and putting it back on the tax rolls. Also spoke about the need for more parking. Wants action not reports.
- Mayor Huttel asked for clarification from Mr. Dacey on the budget numbers. Is there money in the proposed Capital Budget to be spent on the Westside of the City? Mr. Dacey stated that the following projects are included:
 - o Repaving Palisade Avenue from City Hall to the Monument.
 - o Replacing traffic lights.
 - o Adding bump outs.
 - o Adding water gardens for trees and replacing trees.
- Councilman Cohen first ran largely to due out of control taxes at that time. Every year since he has been on the Council he has put forth a resolution to be adopted to express to the City and its residents that the Council would as a mission statement not to raise taxes. He wants all council members to publicly support this resolution.

ORDINANCE 15-03

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT AND COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, NEW JERSEY; APPROPRIATING THE SUM OF \$8,904,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$8,458,800 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Council of the City of Englewood, County of Bergen, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Englewood, County of Bergen, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$8,904,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$8,458,800; and

- (c) a down payment in the amount of \$445,200 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$8,458,800, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$445,200, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$8,458,800 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$8,458,800 is hereby

authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation 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 bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$1,690,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of available grants for each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Repaving and/or Milling of Various City Roads including, but not limited to, West Palisade Avenue, Beech Road and Belmont Street, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$2,506,000	\$125,300	\$2,380,700	10 years
B.	Reconstruction of Various City Roads and Sidewalks including, but not limited to, Glenbrook Parkway and Twisby Place, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	765,000	38,250	726,750	10 years
C.	Various Improvements to the City's Curb and Sidewalk Program including, but not limited to, Liberty Road Curbing, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	200,000	10,000	190,000	10 years
D.	Various Improvements to the City's Sanitary and Storm System including, but not limited to, Dredging of Miller's Pond and Improvements to Culverts, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,089,000	\$54,450	\$1,034,550	40 years
E.	Various Improvements to the City Park including, but not limited to, Replacement and Repairs of Sport Lighting in Denning Park and Replacement of Playground Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	439,000	21,950	417,050	15 years
F.	Various Improvements to City Facilities including, but not limited to, Improvements to Mackay Park Gatehouse and Installation of Fencing at Overpeck Creek, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	757,000	37,850	719,150	15 years
G.	Acquisition and Installation of City Traffic Signals, together with the acquisition of all materials and equipment and	1,210,000	60,500	1,149,500	5 years

completion of all work necessary therefor or related thereto

H.	Upgrades to Computers for the Building Code Enforcement Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	6,000	300	5,700	5 years
I.	Acquisition of Various Equipment for the Department of Public Works including, but not limited to, a Dresser Wheel Loader, two (2) Heavy Duty Trucks and Snow Dragon Melting Machine, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	1,040,000	52,000	988,000	10 years
J.	Acquisition of In-Vehicle Video Systems for the Police Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	150,000	7,500	142,500	5 years
K.	Acquisition of Various Equipment for the Fire Department including, but not limited to, a Fire Engine and Vehicle Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	742,000	37,100	704,900	10 years
Total		\$8,904,000	\$445,200	\$8,458,800	

Section 8. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 9. The average period of useful life of the several purposes for the financing of which this bond ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purpose, is not less than 13.573 years.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original 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. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$8,458,800 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

FIRST READING DATE: April 21, 2015

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

Mayor and Council Comments on Ordinance #15-03:

- Councilman Skurnick asked about letter "J" and if the acquisition of a video system will include GPS. Mr. Dacey explained that the Governor passed a law saying that all police vehicles must have a video system and we are waiting for guidelines from the Attorney General to be issued as to the specifications and if GPS is not included then it will be hooked up to the radio. Mr. Dacey is meeting with the Police and Fire Chiefs and the radio vendor next week.

ORDINANCE #15-04

AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-13, SCHEDULE VI OF THE TRAFFIC AND PARKING ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 25, Section 25-13 Schedule VI, Loading Zones as designated within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the following Loading Zone as designated in Schedule VI.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25, Section 25-13, Schedule VI is hereby amended as follows:

STREET	SIDE	HOURS	LOCATION
Engle Street [Added 12-16-2003 by Ord. No. 03-20]	West	12:00 noon to 10:00 p.m., every day All Day	From a point 77 79.6 feet north of the northwest curb line of Engle Street and Bergen Street to a point 47 63 feet north of said point

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

FIRST READING DATE: APRIL 21, 2015

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

ORDINANCE #15-05

AN ORDINANCE AMENDING CHAPTER 180 - EATING ESTABLISHMENTS, ARTICLE II - OUTDOOR CAFES, SECTION 180-11(E) OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 180 - Eating Establishments, Article II - Outdoor Cafes, Section 180-11(E) of the Code of the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the following.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 180, Section 180-11(E), is hereby amended as follows:

E. No outdoor cafe shall be open for business prior to ~~11:00~~ **8:00** a.m. nor remain open for business after 11:00 p.m., Sunday through Thursday, or after 12:00 midnight on Friday and Saturday.

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

FIRST READING DATE: APRIL 21, 2015

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

Mayor and Council Comments on Ordinance #15-05:

- Councilman Skurnick pointed out to Roxanne Lloyd-Bey that all Outdoor Seating licensees will now be able to begin outdoor seating at 8:00am.

ORDINANCE #15-02

AN ORDINANCE AMENDING CHAPTER 191 FEES OF THE CODE OF THE CITY OF ENGLEWOOD, SECTION 191-12 RECREATION FACILITIES/PROGRAMS

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

Section 1. The following fees, licenses and/or applications found in Chapter 191, Section 191-12 Recreation Facilities/Programs within the Code of the City of Englewood, are hereby amended to include the items as set forth on Schedule A, annexed hereto and made part hereof.

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 immediately upon passage and publication as required by law.

SCHEDULE A

CHAPTER 191, SECTION 191-12, RECREATION FACILITIES/ PROGRAMS	
<i>Seasonal Programs- for program categories to include Fitness, Arts & Crafts, Computers, Sports, Music, Theater Arts, Dance</i>	

FIRST READING DATE: April 7, 2015

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

DATE PUBLISHED IN THE RECORD: April 10, 2015

DATES PUBLIC HEARINGS HELD: April 21, 2015

DATE SECOND READING HELD: April 21, 2015

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

Cohen		Y		Y		Y
Hamer		Y		Y		Y

Public Hearing on Ordinance #15-02:

- Curtis Caviness 41 E. Forest Avenue;
 - o Stated that he is upset that this ordinance is doubling the recreation fees. Mr. Dacey explained that the fee is for a specific program and discounted fees for the program will be offered to those that meet the criteria.

Public Comment on Agenda Items:

- Curtis Caviness 41 E. Forest Avenue;
 - o .In regard to Resolution #107, inquired as to which bathrooms are being worked on at Mackay Park. Mr. Dacey said the bathrooms in the middle of the park and also by the pool.

RESOLUTION #103-04-21-15

RESOLUTION ADOPTING MUTUAL AID PLAN

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., manmade causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

WHEREAS, the Bergen County Police Chief’s Association has proposed a Mutual Aid Plan, Bergen County Regional Swat Team and Rapid Deployment Force to deal with these emergencies; and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A: 9-40.6; and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

WHEREAS, it is the desire of the City Council of the City of Englewood to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Chief’s Association.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Englewood, County of Bergen, State of New Jersey that the Englewood Police Department, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief’s Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all of the municipalities in the County of Bergen.

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

RESOLUTION #104-04-21-15

PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE

WHEREAS, an application has been filed for a Person-to-Person and Place -to-Place Transfer of a Plenary Retail Consumption License Number 0215-33-017-004, heretofore issued to Group B Holdings LLC, for an inactive license with a mailing address of 90 W. Palisade Avenue, Englewood, New Jersey 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

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood does hereby approve, effective April 22, 2015, the Person-to-Person and Place-to-Place Transfer of the aforesaid Plenary Retail Consumption License to Colombian Nights LLC, for the premises located at 90 W. Palisade Avenue, Englewood, New Jersey 07631 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 Colombian Nights LLC effective April 22, 2015."

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

RESOLUTION #105-04-21-15

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

WHEREAS, an application has been filed for a Person-to-Person and Place -to-Place Transfer of a Plenary Retail Consumption License Number 0215-33-027-006, heretofore issued to Sangria LLC, trading as, 201 Club previously located at 90 W. Palisade Avenue, Englewood, New Jersey 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

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood does hereby approve, effective April 22, 2015, the Person-to-Person and Place-to-Place Transfer of the aforesaid Plenary Retail Consumption License to 201 Events LLC, trading as 201 Club, for the premises located at 14-16 Armory Street, Englewood, New Jersey 07631 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 201 Events LLC, trading as 201 Club, effective April 22, 2015."

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

RESOLUTION #106-04-21-15

RESOLUTION HONORING ALEZA BALTUCH WINSLOW

WHEREAS, Aleza Baltuch Winslow, of Bergenfield, formerly of North Miami Beach, Florida, passed away at the age of 37 on March 15, 2015. Aleza was predeceased by a child, Yakira, She is survived by her husband, Lance; children, Zachary, Ariella, Avi, and Joshua; her parents, Rochelle and Marshall Baltuch; a sister, Robyn, and the Baltuch and Winslow families; and

WHEREAS, Mrs. Winslow taught at the Moriah School in Englewood where her children currently attend, and was also employed as a child life specialist in hospitals in Miami and New York, a labor and delivery nurse, and a summer camp nurse. Mrs. Winslow received her bachelor's degree from Syracuse University, earned a master's at Wheelock College, and received a nursing degree and a master's degree from Pace University; and

WHEREAS, Mrs. Winslow, upon moving to Bergenfield, became very active in community life at her synagogue, Keter Torah, Chai Lifeline and the Moriah School; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Englewood, County of Bergen, hereby honor the memory of Aleza Baltuch Winslow, for her service to the Moriah School as a teacher, parent and volunteer.

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

RESOLUTION #107-04-21-15

AWARD PROFESSIONAL SERVICES CONTRACT TO ARCARI+ IOVINO ARCHITECTS PC TO PROVIDE PROFESSIONAL ARCHITECTURAL SERVICES FOR THE BATHROOM RENOVATIONS AT MACKAY PARK

WHEREAS, the City of Englewood requires a qualified architect to provide professional architectural services including a cost proposal for the Plans, specifications and oversight of the bidding process and construction for the bathroom renovations at Mackay Park; and

WHEREAS, Arcari+Iovino Architects PC will be providing basic architectural services for this project as per their proposal dated March 30, 2015; and

WHEREAS, it is the recommendation of the City Engineer is to award a contract for such services to Arcari+Iovino Architects PC, One Katherine Street, Little Ferry, NJ 07643 pursuant to 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 is \$11, 500.00 and will not exceed \$11,750.00; and

WHEREAS, funds are available for this purchase from C-04-13-006-000-006 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Arcari+Iovino Architects PC to provide professional architectural services including a cost proposal for the Plans, specifications and oversight of the bidding process and construction for the bathroom renovations at Mackay Park.

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

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

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

RESOLUTION #108-04-21-15

RESOLUTION ADOPTING IRS MILEAGE RATE FOR REIMBURSEMENT

BE IT RESOLVED, that the City of Englewood shall reimburse for mileage as per the current IRS rate of \$0.575 per mile effective April 22, 2015.

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

RESOLUTION #109-04-21-15

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE
URBAN LEAGUE FOR BERGEN COUNTY**

WHEREAS, the Urban League for Bergen County is a not for profit corporation located in the City of Englewood which provides programs and services to assist in a variety of areas including housing assistance, foreclosure counseling, job readiness and volunteerism; and

WHEREAS, the Urban League for Bergen County seeks to utilize the office space at Liberty School previously occupied by the school board Business Administrator and the occasional use of the conference room at the Liberty School for classes and community services as well as utilize five (5) parking spaces at the Liberty School for their staff; and

WHEREAS, the City of Englewood has determined to enter into an Agreement with the Urban League for Bergen County for the foregoing purposes;

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Englewood is hereby authorized on behalf of the City of Englewood to enter into an Agreement with the Urban League for Bergen County for the use of the aforementioned office space, occasional use of the conference room and five (5) parking spaces at the Liberty School, and is hereby authorized to execute the Agreement annexed hereto as **Exhibit A** setting forth the terms and conditions of said Agreement.

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

RESOLUTION #110-04-21-15

MUNICIPAL ALLIANCE GRANT – FY 2015

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

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

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

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

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

1. The City Council does hereby authorize submission of a strategic plan for the Englewood Municipal Alliance grant for fiscal year 2016 in the amount of:
 - DEDR \$ 15,279.00
 - Cash Match \$ 3,819.00
 - In-Kind \$ 11,459.00
2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

Public Session:

- Elle Kelly 350 Shepard Avenue:
 - o Asked about recycling pickups.
 - o Wants to know why basketball teams have to hire patrols.
 - o Does the City of Englewood charge Englewood Cliffs for the Library and Sewerage System.
 - o What happened to funds to repave Palisade Avenue?
 - o Does not like the automated one-manned garbage trucks.
 - o Does not like that a City employee can live out of town.
 - o What is the status of Eleanor Harvey Park?
 - o Spoke about rateables and building more houses in the City.
 - o Wants rear yard pickup for Senior Citizens and the Disabled reinstated. Council President Algrant said that this issue will be placed on the May 12th Workshop Agenda for discussion.

- Rowan Clark 305 Warren Street:
 - o He thought that when the automatic one manned garbage trucks were introduced that DPW workers would be cut.
 - o Sees signs in the City that say "Englewood is a full service City" what does that mean?
 - o Wants to know why he has to purchase a dumpster for the building that he owns at 305 Warren Street when all these years he has used garbage containers. Mr. Dacey said that he should discuss this with the Director of Public Works and can do so before or after his work shift. Council President Algrant said she would discuss this with Mr. Koth and get back to Mr. Clark should call her on Monday.

- Charles Cobb 113 Marilyn Court:
 - o Wants to know more about rear yard pickup. Mr. Dacey said that it is being phased out and Mr. Cobb can speak with Mr. Romney about it. Mr. Dacey further explained that everyone in the 1st and 4th Wards will be getting a letter attached to the new garbage containers that are being delivered and another copy will be mailed to all residents in those wards as well. Residents' need for rear yard pickup will be determined on a case by case basis.

- Joshua Tenzer 401 Whitewood Road:
 - o Wants a variance for a fence to be placed on the City Right of Way.
 - o Mr. Bailey said that it was discussed in Closed Session back in March and it will be discussed further in Closed Session this evening and he will get back to Mr. Tenzer's attorney.

- Roxanne Lloyd Bey 9 W. Hudson Avenue:
 - o Spoke about Idling issue. Lynne Algrant received a preliminary report from Ms. Bey on Friday and will get back to her next week. Ms. Bey discussed hours of operation and Mr. Dacey said that he will have the County follow up.
 - o Spoke about outdoor seating at Roman Inn and Mr. Tod's Pies, the City Clerk will send Mr. Deptuch to take a look.

- Curtis Caviness 41 E. Forest Avenue:
 - o Discussed some of his observations as a student of government:
 - Budget seems to be divided between 2 sides of the City.
 - Travis Waller' comment made at the recent Town Hall Meeting regarding foreclosures.
 - Former Superintendent of Schools was paid above the State Threshold.
 - If new garbage containers face the wrong way then the driver has to get out and move them.
 - Idling laws.

- Jeffrey Richardson- Urban League:
 - o Thanked the Mayor and Council for their support, and introduced Board members.
 - o Discussed foreclosures and the Urban League's Foreclosure Remediation Program.
 - o Thanked Tim Dacey for a continued and improved relationship between the Urban League and the City of Englewood.

- Shirley Smith W. Palisade Avenue:
 - o Wants to know when her new garbage containers will be delivered.

RESOLUTION #111-04-21-15

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:

Acquisition of Real Property

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.
- (X) 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.
- () 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
Algrant	X	X			
Forman		X			
Skurmick		X			
Cohen		X			
Hamer		X			

ADJOURN: 9:35 PM

Motion: Algrant
All in Favor

Lauren Vande Vaarst, RMC
City Clerk

