

**City of Englewood
City Council Meeting Minutes
May 17, 2011**

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

Roll Call: Present: Council member Michael Cohen
Council member Scott Reddin
Council member Lynne Algrant
Acting City Manager Robert Gorman
City Solicitor William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Ken Rosenzweig
Council member Jack Drakeford
Mayor / Council President Frank Huttie III

Council President Pro Tempore 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 Annual Notice of Meetings as required by the Open Public Meetings Act.

RESOLUTION #111-05-17-11

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
May 3, 2011

WORKSHOP MEETING
May 10, 2011

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

Old Business:

Independence Day Fireworks

- To be held on Thursday, June 30th with a rain date of Wednesday, July 6th
- Private funding will be solicited to pay for the event.

RESOLUTION #112-05-17-11

APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment; and

WHEREAS, all bills and claims listed herewith have been encumbered and sufficient funds are available for payment; and

WHEREAS, the required signatures have all been obtained on each voucher on the attached list.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Englewood, that the bills and claims on the submitted list are hereby approved for payment in the total amount of \$762,497.20.

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

Communications from the Mayor/Council Members:

Ordinances- Introduction/First Reading:

Ordinance No. 11-06

AN ORDINANCE AMENDING ORDINANCE NO. 10-02 ESTABLISHING FEES FOR LICENSES, PERMITS AND OTHER APPLICATIONS WITHIN THE CITY OF ENGLEWOOD

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

Section 1. The following fees of licenses, permits, and other applications within the City of Englewood, as amended by Ordinance 05-08, are hereby amended 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

All dollar amounts are annual unless otherwise indicated.

<u>DESCRIPTION</u>	<u>SOURCE ORDINANCE</u>	<u>FEE</u>
<u>LIQUOR LICENSES</u>		
Plenary Retail Consumption	01-01	\$2,400 \$2,500
Plenary Retail Distribution		\$1,950 \$2,340
Limited Retail Distribution		\$60 \$63
Club		\$180 \$188
<u>PLANNING AND ENGINEERING</u>		
Bond requirements	RGO 22-16(b)	
Utilities		\$500
Unimproved and planted areas		\$4 per square foot \$100 Minimum Fee \$120 Minimum Fee
Engineering review	97-20	\$110 per hour \$120 per hour
Inspection fees		
Engineer		\$110 per hour \$120 per hour
Engineering staff		\$100 per hour \$120 per hour
Soil Erosion	RGO 21-8	\$500 one acre or less \$600 one acre or less \$25 each additional acre or part thereof \$600 each additional acre or part thereof

RECREATION FACILITIES/ PROGRAMS

SunFun Day Camp

\$170 Residents per week
\$255 Non-Residents per week
FEE

DESCRIPTION

SOURCE ORDINANCE

Miscellaneous

Travel Baseball		\$125 per season
Tackle Football		\$120 per season
Track		\$40 \$45 per season
Tennis		\$50 \$45 per season
Quick Start Tennis		\$35 per season
Cheerleading		\$10 per season
Karate		\$7 \$10 per lesson
Dance		\$65 per session
Hip Hop Dance		\$55 per session
Zumba		\$80 for 10 classes \$110 for 20 classes
Aqua Zumba		\$65 per session
Ice Skating		\$60 per session
Youth Golf		\$45 per session
American Youth Soccer Organization (AYSO)		\$50 \$90 per season
Fall Soccer - Travel		\$90 per season
Spring Soccer – Training		\$60 per season
Indoor Soccer		\$65 per season
Park Permit		\$25 \$50 per 2 hours
Adult Golf		\$85 per season
Sailfish Swim Academy - Instruction		\$120 per session
Sailfish Swim Academy – Fitness Swim		\$150 per session

Municipal Swimming Pool

Membership per person	RGO 23-2	\$15 maximum of \$55 per individual per season \$60 \$220 annually per immediate family with one (1) guest pass per season
Persons age 60yrs or older		\$5 per individual per season
Daily admission non-members		\$10 \$15 weekdays (per day per person) \$15 \$20 weekends (per day per person)
Membership Swim Lessons		\$5 \$20 per session per Resident

Please Note:

Englewood Residents that are eligible for the Reduced or Free Lunch Program will qualify for a 40% discount on program fees. Proper documentation of eligibility must be provided at registration.

dent

Englewood Residents with multiple children who do not qualify for the Reduced or Free Lunch Program will receive a 15% discount on program fees.

All recreation fees are governed by the sliding fees schedule used by the Englewood Board of Education Reduced or Free Lunch Program.

The Sun Fun Day Camp discounted rate of \$140 per week per child is available for those Englewood Residents with multiple children who do not qualify for the Reduced or Free Lunch Program.

Loyalty Discount – register for three (3) sports and get one (1) session free.

Non-resident fees equal the Cost of the Program + Half of the Program Cost.

Replacement swim membership cards must be purchased at full price.

Englewood Recreation Department Refund Policy:

All refund requests must be sent directly to the Englewood Recreation Department at least one week prior to the start date of the program.

A \$10.00 ~~\$5.00~~ processing fee will be charged for all refunds.

No refunds will be issued after the start of a program except for one of the following reasons:

- o The program is cancelled by the Englewood Recreation Department.
- o The request is accompanied by a written medical excuse from a Physician.

There will be absolutely no refunds and/or transfer of funds after a program has ended.

Any exception to the Englewood Recreation Department Refund Policy is only at the discretion of the instructor and/or the Recreation Director.

TAX OFFICE

Lien Redemption Fee 95-03 \$50

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

ORDINANCE #11-07

AN ORDINANCE AMENDING THE SCHEDULE XII OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO TRAFFIC REGULATIONS AT THE SIGNALIZED INTERSECTION OF EAST PALISADE AVENUE AND NORTH/SOUTH WOODLAND STREET

WHEREAS, the City Council desires to amend the Schedule XII of Chapter 25 of the Revised General Ordinances regarding traffic regulations at the newly signalized intersection of East Palisade Avenue and North/ South Woodland Street in order for the County of Bergen to approve the traffic signal, which was installed as part of the intersection improvement project, at the aforementioned intersection and as per the traffic regulations listed in Exhibit A; and

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

1. Section 1 Schedule XII of Section 25 – 20 relating to traffic regulations at the signalized intersection of East Palisade Avenue and in accordance with Exhibit A and annexed hereto;

NOW, THEREFORE, BE IT FURTHER ORDAINED that consistent with the traffic regulations listed in Exhibit A, Schedule XII of Chapter 25 be hereby adopted.

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

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

EXHIBIT A

East Palisade Avenue and North/South Woodland Street

Traffic Regulations

The following Lane Reservations be established:

- a. The left lane of the westerly approach of E. Palisade Avenue be for left turns only.
- b. The left lane of the easterly approach of E. Palisade Avenue be for left turns only.
- c. The right lane of the southerly approach of S. Woodland Street be for right turns only.
- d. The right lane of the northerly approach of N. Woodland Street be for right turns only.

The following No Turn on Red prohibitions be established:

- a. From eastbound on E. Palisade Avenue to southbound on S. Woodland Street.
- b. From westbound on E. Palisade Avenue to northbound on N. Woodland Street.

The following No Stopping or Standing regulations be established:

- a. Along the eastern and western curb lines of N. Woodland Street from the northern curb line of E. Palisade Avenue to points 150' north thereof.
- b. Along the eastern curb line of S. Woodland Street from the southern curb line of E. Palisade Avenue to a point 150' south thereof.
- c. Along the western curb line of S. Woodland Street from the southern curb line of E. Palisade Avenue to a point 175' south thereof.

The following No Parking Any Time regulations be established:

- a. Along the southern curb line of E. Palisade Avenue from Jones Road to S. Woodland Street.
- b. Along the southern curb line of E. Palisade Avenue from the eastern curb line of S. Woodland Street to a point 305' east thereof.
- c. Along the northern curb line of E. Palisade Avenue from the eastern curb line of N. Woodland Street to a point 385' east thereof.

The following Bus Stops be established:

- a. Along the northern curb line of E. Palisade Avenue from the western curb line of N. Woodland Street to a point 135' west thereof.
- b. Along the southern curb line of E. Palisade Avenue from 120' west of the western curb line of S. Woodland Street to a point 95' west thereof.

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

Public Comment on Agenda Items:

No one from the public came forward to speak

RESOLUTION #113-05-17-11

Authorize Rejection of Bid
“Chain Link Fencing, Backstops, New Installations
and Repairs to Existing Installations”

WHEREAS, sealed bids were received on April 27, 2011, for "Chain Link Fencing, Backstops, New Installations and Repairs to Existing Installations" in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, two vendors' bids were properly received and opened, but costs exceeded City's budgeted estimates; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the bids received for "Chain Link Fencing, Backstops, New Installations and Repairs to Existing Installations" are hereby rejected and be negotiated in accordance with State Public Contracting law.

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

RESOLUTION #114-05-17-11

**Authorize Rejection of Bid
"Traffic Signal Maintenance"**

WHEREAS, sealed bids were received on April 27, 2011, for "Traffic Signal Maintenance" in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, one vendor's bid was properly received and opened, but the specifications as written would not have been reasonable as to price on the basis of costs estimates submitted by the bidder and as such the specifications will be rewritten; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the bids received for "Traffic Signal Maintenance" be rejected and that the "Traffic Signal Maintenance" be rebid in accordance with specifications therefore and following public advertisement thereof pursuant to law.

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

RESOLUTION #115-05-17-11

RESOLUTION APPROVING HEARING OFFICER

WHEREAS, the City Administration requires the services of a licensed attorney to serve as the Hearing Officer for disciplinary charges, dated April 21, 2011, that have been filed against a member of the Englewood Police Department; and

WHEREAS, the City Manager has designated Allan Roth, Esq., 130 Morris Ave., Springfield, N.J. to serve as the Hearing Officer in this matter; and

WHEREAS, it is anticipated that the cost of these services to be billed at the rate of \$150 per hour, will not exceed \$7,500 and the Chief Financial Officer has certified the availability of funds from the 2011 municipal budget; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) authorizes the execution of professional services contracts without public bidding; and

WHEREAS, Allan Roth, Esq. shall complete a Business Entity Disclosure Statement prior to being retained.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, State of New Jersey, that Allan Roth, Esq., is hereby authorized to serve as Hearing Office in the above matter.

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

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

RESOLUTION #116-05-17-11

CITY OF ENGLEWOOD COMMEMORATES JUNETEENTH

WHEREAS, the holiday of Juneteenth, also known as Freedom Day or Emancipation Day, commemorates the announcement of the abolition of slavery in the State of Texas on June 19, 1865 and has since become a day to honor African American heritage throughout the United States; and

WHEREAS, the City of Englewood is proud to be a culturally diverse and rich community with a large African-American population comprising nearly thirty-three percent of its total population and wishes to recognize and honor this important day in African American history; and

WHEREAS, Englewood resident and State Senator Byron M. Baer, District 37, in 2004 sponsored Senate Bill No. 566 to designate the third Saturday of June in each year as “Juneteenth Independence Day” in the State of New Jersey “to commemorate and celebrate the emancipation of African-Americans and foster respect for all cultures.”

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Englewood that it hereby officially recognizes June 19th as Juneteenth Day in the City of Englewood and that by doing so honors the legacy and traditions of the African American community of the City of Englewood.

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

RESOLUTION #117-05-17-11

AUTHORIZING COMMUNITY GARDEN ON THIRD STREET

WHEREAS, the City of Englewood owns two (2) properties located on Third Street and designated as Block 2112 Lot 6 also known as 143 Third Street and Block 2114 Lot 8 also known as 144 Third Street. These properties were designated as part of the Residential Rehabilitation Project within the Residential Rehabilitation area by Ordinance #04-33; and

WHEREAS, Habitat for Humanity has right of first refusal to rehabilitate these properties, but are changing their focus to include more community improvement projects and as such are interested in developing these aforementioned properties as a Community Garden in order to foster volunteerism, pride in the community and healthy eating habits among the area residents; and

WHEREAS, the Englewood Department of Public Works has cleared the land in preparation and students at the Dwight-Englewood School have been planting seedlings to transplant into the garden.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, State of New Jersey, that the City of Englewood owned properties located on Third Street and designated as Block 2112 Lot 6 also known as 143 Third Street and Block 2114 Lot 8 also known as 144 Third Street are hereby designated as a Community Garden under the sponsorship of Habitat for Humanity.

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

RESOLUTION #118-05-17-11

DESIGNATE JUNE AS APHASIA AWARENESS MONTH

WHEREAS, Aphasia is a disorder of the brain that occurs, most commonly, after a stroke or

traumatic brain injury and affects a person's ability to communicate; a person with aphasia typically has difficulty speaking and, sometimes, difficulty with reading, writing, and understanding what other people are saying, but the condition does not affect a person's intellect; and

WHEREAS, while Aphasia is a widely under diagnosed and often misunderstood disease, it is estimated that one million people in the United States have Aphasia; and

WHEREAS, the Adler Aphasia Center located in Maywood, New Jersey, was founded in 2003 by Mike and Elaine Adler in response to the lack of support groups and services that they discovered after Mike had suffered a stroke in 1993 and became afflicted with Aphasia. The Center began with four members and today has close to one hundred members with Aphasia and forty caregivers. The Adler Aphasia Center is a vital resource for people with Aphasia, their loved ones, healthcare professionals, researchers, and community partners and donors; and provides much needed programs such as community outreach, education and awareness, research, support services for patients, family members and caregivers.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Englewood, County of Bergen, hereby designate the month of June as "Aphasia Awareness Month" in support of both the individuals afflicted with this disease and the Adler Aphasia Center in their efforts to raise awareness and provide services to those struggling to overcome this often-misunderstood communication disorder.

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

Public Session:

Joseph Hoyle 103 Elmore Avenue :

- o Thanked the Mayor and Council for passing a Resolution recognizing Juneteenth
- o Spoke about State Senator Byron Baer spearheading the recognition of Juneteenth as a statewide holiday.

Carter Jackson, Teaneck Resident:

- o Asked for an update on a sign be erected on the public safety complex with its proper name; Raymond C. Wright Public Safety Complex.
- o The widow of Raymond C. Wright lives in Bergenfield.

RESOLUTION #119-05-17-11

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

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

Litigation and Contracts

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

ADJOURN: 8:40 PM

Motion: Algrant

All in Favor

Lauren Vande Vaarst, RMC
City Clerk