

Englewood, N.J., February 17, 2009

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

Present: Council President Ken Rosenzweig; Council members Charlotte Bennett Schoen, Scott Reddin, Jack Drakeford, and Gordon Johnson; Also present were Daniel Fitzpatrick, City Manager; Lenore Schiavelli, City Clerk; William Bailey, City Solicitor.

Absent: Mayor Michael Wildes

President Rosenzweig called the meeting to order.

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

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

The City Manager discussed several items with the City Council including the 2009 budget review and agenda review. Upon motion duly made, seconded, and passed, the Council retired to closed session to discuss personnel issues and pending litigation. The Council returned to open session.

The City Clerk stated that communications received for the City Council were listed on the Digest. (Page 1a of these minutes.)

Mr. Drakeford moved that the minutes of the February 3, 2009 Council Meeting be approved. Mr. Johnson seconded the motion. Ms. Schoen made a spelling correction. Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried.

Ms. Schoen moved that the following Resolution be adopted. Mr. Johnson seconded the motion Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried and the Resolution duly adopted.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ENGLEWOOD that the bills and claims as approved for payment by the Chief Financial Officer of the City of Englewood are hereby ordered paid and that the accompanying schedule thereof (pages 1b - 1d of these minutes) is hereby made a part of the minutes of this meeting.

Council members commented on past and upcoming events and issues.

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President Rosenzweig explained the Resolutions on the agenda and invited questions/comments on the items from the public.

Mr. Johnson moved that the following resolutions be adopted by Unanimous Consent. Ms. Schoen seconded the motion. Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried and the resolutions duly adopted.

1. WHEREAS, the City of Englewood is in need of the services of Special Counsel for the matter of ERA South, LLC v. City of Englewood; and  
 WHEREAS, the City Council has determined, based on professional experience, expertise, and reputation to appoint and award a contract for such services to Jonathan L. Goldstein, Esq., of the firm of Helving Lindeman Goldstein & Siegal LLP, One Gateway Center, Newark, NJ 07102 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the parties wish to mutually set forth the compensation and terms and conditions regarding such appointment; and

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

WHEREAS, sufficient funds are available for this purpose pursuant to the 2009 temporary budget of the City of Englewood;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, pursuant to N.J.S.A. 40A: 11-5, that Jonathan L. Goldstein, Esq., is hereby appointed as Special Counsel and that the City Manager is hereby authorized to execute, and the City Clerk to attest, an agreement between the City of Englewood and Jonathan L. Goldstein, Esq. setting forth the duties, compensation at a rate of \$250 per hour, and terms and conditions respecting the appointment of Special Counsel for a term commencing February 18, 2009 and continuing until the conclusion of the lawsuit or until a successor is appointed.

2. WHEREAS, there is a need to provide the services of a Public Defender in the Municipal Court for the remainder of 2009;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that Aishaah Rasul, 185 Engle Street, is hereby appointed Public Defender for the term ending December 31, 2009; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the appropriate appointment letter.

Mr. Johnson moved that the following resolution be approved. Ms. Schoen seconded the motion. Upon roll call, Mr. Drakeford abstained; all other Council members present voted "Yes". President Rosenzweig declared the motion carried and the resolution duly adopted.

WHEREAS, prompt and efficient delivery of world class medical services is a vital component of our communities; and

WHEREAS, for over one hundred and twenty five years this need has been well served by Englewood Hospital and Medical Center; and

WHEREAS, Englewood Hospital is the community hospital for the City of Englewood and where eight out of every ten residents of Englewood rely on Englewood Hospital and Medical Center when they need hospital care; and

WHEREAS, the health of the residents of Englewood is dependent on the health of its community hospital, Englewood Hospital and Medical Center; and

WHEREAS, the financial stability of hospitals throughout the state has been significantly challenged resulting in the closure of 20 hospitals in the past 10 years; and

WHEREAS, hospitals in the Bergen County area should be financially resilient to best serve the population; and

WHEREAS, Governor Corzine established a State Commission to review those costs and make recommendations; and

WHEREAS, the Final Report (2008) of the New Jersey Commission on Rationalizing Health Care Resources states that New Jersey has an oversupply of hospital beds; and

WHEREAS, the Report states that this oversupply of hospital beds is most pronounced in the Hackensack-Ridgewood-Paterson region; and

WHEREAS, the Report states that "based on the current financial picture, the residents of New Jersey should expect a wave of additional hospitals that will face financial distress in the next few years"; and

WHEREAS, any new hospitals in the Bergen County market will only take patients away from hospitals that are already meeting the market demand for healthcare and ancillary services; and

WHEREAS, Englewood Hospital and Medical Center and the other hospitals of Bergen County have worked diligently and successfully to accommodate the people, doctors, and employees of Pascack Valley Hospital when it closed; and

WHEREAS, Englewood Hospital and Medical Center has the capacity to accommodate additional demands for healthcare services to patients in Bergen County; and WHEREAS, it is essential to have financially stable, non-profit hospitals in Bergen County that will reinvest in their hospitals and communities;

NOW, THEREFORE, BE IT RESOLVED that the Englewood City Council does hereby oppose the re-opening of the former Pascack Valley Hospital as an acute care facility.

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Ms. Schoen introduced the following ordinances by title:

09-05 BOND ORDINANCE AMENDING ORDINANCE NO. 03-08

REAPPROPRIATING \$12,000 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE CONSTRUCTION OF A BUS SHELTER AND OTHER RELATED EXPENSES IN AND BY THE CITY OF ENGLEWOOD.

09-06 BOND ORDINANCE AMENDING ORDINANCE NO. 04-12

REAPPROPRIATING \$114,479 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR ACQUISITION AND INSTALLATION OF "WAY FINDING" SIGNS IN THE CITY OF ENGLEWOOD AND OTHER RELATED EXPENSES.

09-08 AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY FOR THE PURPOSE OF INSTALLING A TRAFFIC SIGNAL ON SOUTH VAN BRUNT STREET IN THE CITY OF ENGLEWOOD.

She moved that the ordinances pass on first reading and be published once, in full, in the Press Journal and that a public hearing thereon be held March 3, 2009. Mr. Reddin seconded the motion.

Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried.

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President Rosenzweig declared the public session open and the following persons spoke: Ms. Maritas, 151 E. Palisade, objects to parking tickets being issued to residents on her street.

Elie Kelly, 350 Shepard Ave, wants the speed hump in front of his house removed because of drainage issues; he wants a better response from the City to complaints.

Rosemary Scott, 315 Shepard Ave, stated that the County is offering grants for neighborhood stabilization programs.

Cornelia Rogers, Humphrey St, resents the false alarm reduction fee.

Sandy Greenberg, 449 Liberty Rd, commented on speeding autos on Liberty Rd and the Master Plan.

Curtis Caviness, 41 E. Forest Ave, asked about the Qalert program.

Alva Jones, King Gardens, asked about the trolley route and is opposed to lay offs.

Shirley Smith, 374 W. Palisade, commented about the sidewalks not being shoveled; there is a need for a bus shelter at Oakland and Palisade.

Cynthia Cazeau, 156 Lake St, would like her street cleared of snow after storms.

When no one else wished to address the Council, President Rosenzweig closed the public session.

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City Clerk