

Englewood, N.J., April 1, 2008

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, and Gordon Johnson.

Absent: Mayor Michael Wildes; Council member Jack Drakeford.

Also present were Robert Casey, City Manager; Lenore Schiavelli, City Clerk; William Bailey, City Solicitor.

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 and agenda review.

* * * * *

Mr. Reddin moved that the minutes of the March 18, 2008 Council Meeting be approved. Mr. Johnson seconded the motion. 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. Reddin 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 1a - 1b of these minutes) is hereby made a part of the minutes of this meeting.

Council members commented on past and upcoming events.

* * * * *

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, there exists a need in the City of Englewood for a real estate appraiser to appraise new construction, additions, and alterations of real property and prepare appraisal reports and present expert testimony in appeals pending before the Tax Court of the State of New Jersey; and

WHEREAS, the Local Public Contracts Law authorizes the execution of such professional services contract without competitive bidding pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the City Council finds, on the recommendation of the Tax Assessor of the City of Englewood, that it would be in the best interests of the City of Englewood to award a contract for such services to Realty Appraisal Co., with offices located at 4912 Bergenline Avenue, West New York, New Jersey, 07093, on the basis of his professional expertise, experience as a former tax assessor, and previous services on behalf of the City of Englewood;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, that the City Manager is hereby authorized to execute, and the City Clerk to attest, an agreement between the City of Englewood and Realty Appraisal Co. to furnish real estate appraisal services as required by the City of Englewood in connection with tax appeals pending in the New Jersey Tax Court at a total cost not to exceed \$21,000 per year; and

BE IT FURTHER RESOLVED that the City Clerk is authorized to cause a brief notice to be published once in the Press Journal stating the nature, duration, service and amount of the contract.

The Finance Director's Certificate of Availability of Funds is on file in the Office of the City Clerk.

2. WHEREAS, an emergent condition has arisen in that the City of Englewood is expected to enter into contracts, commitments, or payments prior to the 2008 Budget and no adequate provision has been made in the 2008 temporary budget for the aforesaid purposes; and

WHEREAS, NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolution adopted in 2007 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$16,595,492;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that in accordance with the provisions of NJSA 40A:4-20 emergency temporary appropriations are hereby made in the amount of \$16,485,492 as listed on Schedule A attached hereto (Schedule A is on page 2a - 2c of these minutes); and

BE IT FURTHER RESOLVED that said emergency temporary appropriations will be provided for in the 2008 budget and a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

3. WHEREAS, sealed bids were received on March 20, 2008 for Electrical Services in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent to six potential bidders and the only responsible bid received was as follows:

<u>Company</u>	<u>Amount</u>	
East West Electrical Contractors	2008 - \$ 38,160	2009 - \$38,400

WHEREAS, the bid submitted by East West Electrical Contractors is in compliance with the specifications and based upon the recommendation of the Purchasing Agent, can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by East West Electrical Contractors in the amount of \$38,160 for 2008 and \$38,400 for 2009 is hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and East West Electrical Contractors for Electrical Services in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

4. WHEREAS, on January 8, 2008, the City Council of the City of Englewood reappointed Charles Ferraioli, CPA, as Auditor to prepare an annual audit of the City's books and records; and

WHEREAS, the scope of the City's audit includes the preparation of the independent auditor's report of the various funds of the City of Englewood, including a report of federal and state grant funds; and

WHEREAS, the Local Public Contracts Law authorizes the execution of such professional services contract without competitive bidding pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the City Council finds the proposal of the firm Ferraioli, Wielkocz, Cerullo, & Cuva, P.A. to be of the highest caliber and meets the needs of the City of Englewood; and

WHEREAS, the proposal submitted by Ferraioli, Wielkocz, Cerullo, & Cuva, P.A. has a cost of \$69,500;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute a professional services agreement with the accounting firm Ferraioli, Wielkocz, Cerullo, & Cuva for the calendar year 2008, not to exceed \$69,500.

The Finance Director's Certificate of Availability of Funds is on file in the office of the City Clerk.

5. WHEREAS, bids were received by the City of Englewood on April 1, 2008 for Project Number 110519: Contract 1. Park Play Area Improvements; Contract 2. Basketball Court Reconstruction, City of Englewood, following public advertisement and in accordance with specifications therefor in accordance with law; and

WHEREAS, D&S Land Development, LLC, 13 Alida Place, Ramsey, New Jersey, 07446 was the low, responsible bidder for Contract 1 in the sum of \$342,814 and Contract 2 in the sum of \$240,504; and

WHEREAS, the City Council finds, on the advice and recommendation of the City Engineer, that it is in the best interest of the City of Englewood to award Contract 1. Park Play Area Improvements and Contract 2. Basketball Court Reconstruction, City of Englewood, to D&S Land Development, LLC, in accordance with its bids;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey that the bids of D&S Land Development, LLC, for Contract 1. Park Play Area Improvements and Contract 2. Basketball Court Reconstruction are hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute agreements between the City of Englewood and D&S Land Development, LLC, to carry out the foregoing purposes together with change orders in an amount not to exceed 20% of the contract price, subject to the availability of funds therefore; and

BE IT FURTHER RESOLVED that adequate funds for this contract are available and that the Finance Officers Certificate of Availability of Funds is on file in the office of the City Clerk and is available for public inspection.

* * * * *

President Rosenzweig declared the public session open and the following persons spoke:
Jean Hopewell, 380 Liberty Rd, asked about garbage pick up being changed from back to front yard; she wants post boxes replaced in neighborhoods; street cleaning is not efficient.

Joe Clark, 200 John St, asked about elevator improvements to City Hall and discussed various budget suggestions.

Cynthia Sumner, Ridgeland Terr, announced the Library book sale.

Ernestine Hayes, 340 Liberty Rd, complained about a neighbor's property upkeep.

Glenn Garrison, 251 Cambridge Ave, is in favor of retaining the skating rink.

Carter Jackson, NAACP, commented that a photo of John T. Wright for whom the ice rink is named can be found in Ridgewood Library.

Donna Prescod would like roller skating programs included in the ice rink.

Sandy Greenberg, 449 Liberty Rd, is concerned that garbage cans left in front of homes will blow into the street.

Ms. Burke, 20 Grant St, asked about agenda items.

Esther Hilliard, 151 Liberty Rd, does not want garbage pick up moved to the front

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

Upon motion duly made, seconded, and passed, the Council adjourned to closed session to discuss personnel matters.

Upon returning to open session and inasmuch as there was no further business to come before the City Council, the Council President adjourned the meeting.

City Clerk