

Englewood, N.J., February 19, 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: Mayor Michael Wildes; Council President Ken Rosenzweig; Council members Charlotte Bennett Schoen, Scott Reddin, and Jack Drakeford; Also present were Robert Casey, City Manager; Lenore Schiavelli, City Clerk; William Bailey, City Solicitor.

Absent: Council member Gordon Johnson.

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 following Resolution be adopted. Ms. Schoen 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 - 1c of these minutes) is hereby made a part of the minutes of this meeting.

Mayor Wildes and 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. Drakeford moved that the following resolution be adopted by Unanimous Consent. 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, BERGEN COUNTY, NEW JERSEY, that the City Clerk is hereby authorized to read the Budget of the Special Improvement District of the City of Englewood for the fiscal year 2007-2008 by its title only at the public hearing; and

BE IT FURTHER RESOLVED that the City Council hereby declares that at least one week prior to the date of the hearing, a complete copy of the approved budget

1. has been posted in City Hall, Englewood, New Jersey; and
2. has been made available to each person requesting same, during said week and during the public hearing.

President Rosenzweig opened the public hearing on the SID budget and the following person spoke:

Jewel Spiegel asked for more detail on the line items

When no one else wished to comment, President Rosenzweig closed the hearing.

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

1. BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COUNTY OF BERGEN, NEW JERSEY, that the Budget for the Special Improvement District of2 the City of Englewood for the fiscal year 2007-2008, as introduced on January 15, 2008, is hereby adopted;

BE IT FURTHER RESOLVED that the Economic Development Corporation is hereby authorized to make charges and payments for the Special Improvement District; and

BE IT FURTHER RESOLVED that the aforesaid budget authorizes the following:  
\$295,000 in total revenues and appropriations.

2. BE IT RESOLVED by the City Council of the City of Englewood that the City Clerk is authorized to sign, issue, and deliver alcoholic beverage license to the person, association, firm, corporation, or club on the list annexed hereto to be effective only at the location set forth for the period beginning January 11, 2008 and ending June 30, 2008 at midnight; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control of the State of New Jersey; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be done during the year 2008.

Plenary Retail Consumption License No. 0215-33-005-008 issued to Royal Palm Catering LLC t/a The Ocean Palm, 90 Grand Avenue, Englewood, NJ.

3. WHEREAS, on April 23, 2007, the City Council of the City of Englewood approved an agreement with Jersey Professional Management and the appointment of Robert F. Casey as the interim City Manager during the process of the recruitment and selection of a new, full-time City Manager; and

WHEREAS, the agreement provides that Mr. Casey will be paid a nominal salary of \$10 per hour to serve as the interim City Manager and the firm of Jersey Professional Management will be paid \$90 per hour for Mr. Casey's services, not to exceed \$27,000; and

WHEREAS, on July 17, 2007, the City Council approved an extension of said agreement in an additional sum not to exceed \$20,000; and

WHEREAS, on November 20, 2007, the City Council approved an extension of said agreement in an additional sum not to exceed \$26,000; and

WHEREAS, it is necessary to extend said agreement in order to complete the process of the recruitment and selection of a full-time City Management at additional cost; 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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Englewood that the agreement with Jersey Professional Management is hereby extended in an additional sum not to exceed \$40,000.

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

4. WHEREAS, sealed bids were received on February 14, 2008 for Repair of Communications Equipment for the years 2008 and 2009 in accordance with specifications therefore and following public advertisement; and

WHEREAS, six bid packages were distributed and the only responsible bid received is as follows:

TekTron Corporation	Annual Contract-Covered Equipment	\$ 9,924.40
6845 Westfield Avenue	Hourly-Additional Equipment	\$ 65
Pennsauken, NJ 08110		

WHEREAS, the low bid submitted by TekTron Corp. is in compliance with the specifications and based upon the recommendation of the Chief Finance Officer can be accepted by the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by TekTron Corp. in the amount of \$ 9,924.40 annually 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 TekTron Corp. for Repair of Communications Equipment 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.

5. WHEREAS, the City Council is introducing a Bond Ordinance to increase the amounts previously approved in Bond Ordinances 03-18 and 05-18; and

WHEREAS; State law requires that any capital improvement must be included in the annual capital budget of the municipality and if it is not, then the capital improvement program must be amended to reflect this capital expenditure; and

WHEREAS, the City has not yet adopted a Capital Budget for 2008 and consequently it is necessary to adopt a Temporary Capital Budget prior to the adoption of any Bond Ordinance in 2008; and

WHEREAS, the City Manager recommends that the following Capital Budget be adopted with this Capital Budget being supplemented when the final 2008 Annual Budget is established;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, County of Bergen, New Jersey that the recommendation of the City Manager is hereby accepted; and the following Capital Budget is hereby adopted:

#### CAPITAL BUDGET 2008

Project title:	Route 4 Access Road
Project Number	08-1
Estimated Total Cost	\$10,035,000
Amount reserved in prior years	\$8,500,000
Planned Funding for 2008	
Capital Improvement Fund	\$136,750
Debt Authorized	\$2,598,250

#### ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENTS

Project title:	Route 4 Access Road
Project Number	08-1
Estimated Total Cost	\$10,035,000
Estimate completion time	1 year
Funding Amounts per Budget Year	
2008	\$1,535,000

#### 6 YEAR CAPITAL IMPROVEMENT PROGRAM

#### SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

Project title:	Route 4 Access Road
Estimated Total Cost	\$10,035,000
Budget Appropriations	
Current year	0
Prior Year	0
Capital Improvement Fund	\$136,750
Capital Surplus	0
Grants in Aid and other funds	0
Bonds and Notes	
Assessment	
Debt Authorized	\$2,598,250

6. 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 2008 pursuant to the provisions of Chapter 96, PL 1951 (NJSA 40A:4-20) including this resolution total \$ 110,000;

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 \$ 100,000:

General Appropriations

Operations - Excluded from "CAPS" - Capital Improvement Fund \$100,000

BE IT FURTHER RESOLVED that emergency temporary appropriations offset by an item of revenue are hereby made in the amount of \$10,000:

Miscellaneous Revenues

NJ Health & Senior Services - Healthy Community Development \$10,000

General Appropriations

Operations - Excluded from "CAPS"

NJ Health & Senior Services - Healthy Community Development \$10,000

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.

7. WHEREAS, the City of Englewood owns property within the City including ball fields and recreational facilities; and

WHEREAS, pursuant to NJSA 40:61-22, the City of Englewood may implement rules for the use, regulation, supervision, and control of activities conducted on such properties;

NOW, THEREFORE, BE IT RESOLVED that the City Manager may adopt and promulgate reasonable rules and regulations not inconsistent with statute or ordinance governing the use of City parks and ball fields; and

BE IT FURTHER RESOLVED that

- a. all ball fields, parks, and recreational facilities owned by the City of Englewood shall not be leased or rented to any persons or entities without prior approval by the City Manager; and
- b. any persons or entities that wish to rent or lease such property shall be required to provide information including but not limited to Proof of Insurance, the purpose for which the field is being used, the time, date, duration of any such usage, and confirmation that any such person or entity shall indemnify the City for any damages or injury and shall be responsible for any damage to such property, security, and cleanup as a result of the activities.

8. WHEREAS, the City Council has introduced Ordinance No. 08-03 which would remove parking on the west side of South Van Brunt Street between Palisade Avenue and Englewood Avenue and on the east side of Humphrey Street between Palisade Avenue and Englewood Avenue; and

WHEREAS, the ordinance was intended to be considered on second and final reading on February 19, however due to publication restrictions, the ordinance cannot be considered until March 4, 2008; and

WHEREAS, Section 25-22 of the Revised General Ordinances of the City of Englewood provides that Emergency No Parking Regulations can be put into place whenever such regulations are required "in order to protect the public safety or insure the free flow of traffic"; and

WHEREAS, the City Manager recommends that emergency no parking regulations be established at this time to implement the recommended changes contained in Ordinance No. 08-03 to improve traffic flows, emergency vehicle access, and fire protection lanes on South Van Brunt Street and Humphrey Street;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey that the recommendation of the City Manager is hereby accepted and the following emergency no parking zones are hereby established:

West side of South Van Brunt Street between Palisade and Englewood Avenues

East side of Humphrey Street between Palisade and Englewood Avenues

BE IT FURTHER RESOLVED that the City Manager is authorized to have the necessary signage installed to implement this no parking zone and to take whatever enforcement action is necessary to insure adequate emergency vehicle access and fire protection lanes on these streets.

9. BE IT RESOLVED by the City Council of the City of Englewood that the following appointments are hereby confirmed:

BOARD OF ADJUSTMENT

Fitz Haney, 229 Chestnut Street, appointed to a four-year term commencing January 1, 2008 and expiring December 31, 2011.

Elliott Fuld, 242 Sunset Lane, reappointed to a four-year term commencing January 1, 2008 and expiring December 31, 2011.

Juan Osorio, 147 Lack Street, appointed to a two-year term as Alternate #2 commencing January 1, 2008 and expiring December 31, 2009.

10. WHEREAS, on February 17, 1987, the City Council adopted a resolution declaring ASTRA, Armory Street Redevelopment Area, an area in need of renewal and redevelopment; and

WHEREAS, Bennett Road is included in ASTRA; and

WHEREAS, Ideal Lodge No. 470, IBPOE, is situated at 17 Bennett Road;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood asserts that Bennett Road is not the subject of any redevelopment project or contemplated project.

Mr. Drakeford moved that the following resolution be adopted. Ms. Schoen seconded the motion. Upon roll call, Mr. Drakeford voted "Yes"; all other Council members present voted "No". President Rosenzweig declared that the resolution was not approved.

WHEREAS, a Bergen County Community Development Grant of \$75,000 has been proposed by Team Management 2000 for the Teenage Transitional Alternative Project in the City of Englewood; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Funds may not be spent in a municipality without authorization by the City Council; and

WHEREAS, the aforesaid project is in the best interest of the people of Englewood; and

WHEREAS, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development Funds;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution will be sent to the Director of Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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Mr. Reddin introduced the following ordinances by title:

08-05 AN ORDINANCE AMENDING ORDINANCE NO. 05-08 ESTABLISHING FEES FOR LICENSES, PERMITS AND OTHER APPLICATIONS WITHIN THE CITY OF ENGLEWOOD.

08-06 AN ORDINANCE AMENDING SECTION 24-14 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO REVISED TAXICAB FARES

He 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 4, 2008. Ms. Schoen seconded the motion.

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

Mr. Reddin introduced the following ordinance by title:

08-07 BOND ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, AMENDING ORDINANCE 03-18 AS PREVIOUSLY AMENDED BY ORDINANCE 05-18, PROVIDING FOR THE ACQUISITION OF LAND AND THE CONSTRUCTION OF A ROADWAY INCLUDING AN ACCESS AREA OFF ROUTE 4 EASTBOUND AND A PUBLIC ROADWAY FROM ROUTE 4 TO SHEFFIELD AVENUE IN THE

CITY OF ENGLEWOOD AND APPROPRIATING \$10,035,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$9,533,250 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME, AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF.

The City Clerk stated that a supplemental debt statement setting forth the obligations to be raised by this office had been executed and filed in the office of the City Clerk.

Mr. Reddin 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 18, 2008. Ms. Schoen 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: Dorothy Thomas, Meadowbrook Rd, wants Chief Bowman/Sgt Jackson reinstated.

Lawrence Coward, DPW commented that the management of the DPW is responsible for the snow removal problems.

Mr. Willowghby, 287 Shepard, wants an apology for snow removal problems; he wants Bowman reinstated.

Martha Arons, Broad Ave, is disturbed by the increased City budget proposal. Alva Jones, King Gardens, praised the DPW workers and asked that Bowman/Jackson be reinstated.

William Satterfield, 251 S. Dean St, believes that City employees should live in the City.

Curtis Caviness, 41 E. Forest Ave, believes that the defeat of the Team Management CD application resolution has racial undertones.

James Evans, 341 Washington Pl, blamed DPW management for snow removal problems; he wants Bowman reinstated

Norman Gorlyn believes the snow storm was mismanaged.

Elie Kelly, 350 Shepard Ave, DPW workers should not take over landscaping responsibilities.

Fred Green, Teaneck, wants Bowman reinstated.

Mildred Tucker, Teaneck, believes the police are corrupt and need Bowman.

Rob Gilman, Teamsters Local 11, DPW workers wanted to work the snow storm.

Warren Newman, 143 Engle St, asked about an OPRA request and the Hollenfer agreement.

Cornelia Rogers, Humphrey St, wants Bowman/Jackson reinstated and asked about the City Manager search.

Shirley Smith, 374 W. Palisade Ave, wants Bowman reinstated.

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

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Inasmuch as there was no further business to come before the City Council, the Council President adjourned the meeting.

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City Clerk