

Englewood, N.J., June 17, 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 Kenneth Rosenzweig; Council members Charlotte Bennett Schoen, Scott Reddin, Jack Drakeford, and Gordon Johnson.

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

Council member Reddin called the meeting to order and served as President Pro Tem until the arrival of President Rosenzweig.

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

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The City Manager discussed the following items with the City Council and agenda review: Road improvements and status report/Depot Square improvements - Ken Albert; Financial planning - assessment bonds and grant receivables; Property maintenance and housing inspections; Tree issues - shade tree definition of private property; Filming fees and definitions; Recreation fees; Agenda Review.

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

Ms. Schoen moved that the minutes of the May 6, 20, June 5, 2008 Council Meetings be approved with minor alterations. Mr. Johnson seconded the motion. Upon roll call, Mr. Rosenzweig abstained on the minutes of May 6; all Council members present voted "Yes" otherwise. President Rosenzweig declared the motion carried.

Mr. Johnson moved that the following Resolution be adopted. Mr. Drakeford seconded the motion Upon roll call, all Council members present voted "Yes". President Reddin 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 - 1e of these minutes) is hereby made a part of the minutes of this meeting.

Council members commented on past and upcoming events.

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President Rosenzweig stated that consideration would be given to the following ordinances. The City Clerk read the ordinances by title.

08-08 AN ORDINANCE AMENDING ARTICLE 3 OF CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO ALARM SYSTEMS

08-16 BOND ORDINANCE OF THE CITY OF ENGLEWOOD, BERGEN COUNTY,
 NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS
 AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF
 ENGLEWOOD AND APPROPRIATING \$1,038,000 THEREFOR, AND
 PROVIDING FOR THE ISSUANCE OF \$988,564 IN BONDS OR NOTES OF
 THE CITY OF ENGLEWOOD TO FINANCE THE SAME.

As to Ordinance No. 08-16, the City Clerk stated that the supplemental debt statement setting forth the obligations to be authorized by this ordinance had been duly filed in the office of the Director of the Division of Local Government Services and the Director had certified receipt of same.

President Rosenzweig declared that public hearing on this ordinance was open and when no one wished to speak on the ordinances, he closed the public hearing.

Ms. Schoen moved that Ordinance No. 08-08 pass on final reading and be adopted and that the ordinance be published once, by title only, in the Press Journal. Mr. Reddin seconded the motion. Upon roll call, Mr. Drakeford voted "No"; all other Council members present voted "Yes". President Rosenzweig declared the motion carried and the ordinance duly adopted.

Ms. Schoen moved that Ordinance No. 08-16 pass on final reading and be adopted and that the ordinance be published once, in full, in the Press Journal. Mr. Reddin seconded the motion. Upon roll call, all Council members present voted "Yes". President Rosenzweig declared the motion carried and the ordinance duly adopted.

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

Ms. Schoen moved that the following resolutions be adopted by Unanimous Consent. Mr. Johnson 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 COUNCIL OF THE CITY OF ENGLEWOOD that the City Clerk is hereby directed to sign, issue, and deliver alcoholic beverage licenses to each of the persons, associations, firms, corporations, or clubs on the list annexed hereto, to be effective only at the locations set forth after their respective names for the period beginning July 1, 2008 at 12:01 AM and ending June 30, 2009 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be done during the 2008-2009 year.

PLENARY RETAIL CONSUMPTION

0215-33-003-009	Steak & Ale of NJ Inc.	412 S. Van Brunt St.
0215-32-009-003	YNS Englewood Liq. Inc.	42 E. Palisade Ave.
	<i>v/a</i> Englewood Liquors	
0215-33-017-002	One W. Englewood Ave., Corp.	1-3-5 W. Englewood
	<i>v/a</i> Club One West	
0215-33-027-006	Sangria LLC <i>v/a</i> Sangria	90 W. Palisade Ave
0215-33-004-002	Bergen PAC	30 N. Van Brunt St.
0215-33-020-005	Tapas de Espana II, Inc.	47 N. Dean St.
0215-33-014-006	AWJ Inc. <i>v/a</i> Solai'a's	22 N. Van Brunt St.
0215-33-025-007	Du Enterprises LLC <i>v/a</i> Koi Lounge	11 N. Dean Street
0215-33-006-004	Larry Brad Drucker, Inc.	18 S. Dean Street
	<i>v/a</i> Cassie's Restaurant	
0215-33-005-008	Royal Palm Catering LLC <i>v/a</i> Ocean Palm	90 Grand Ave.
0215-32-011-006	T.H.S. Wine & Liquors	14-16 East Hudson
	<i>v/a</i> Oprandy's Wine & Liquor	
0215-33-022-010	Smoke Chophouse & Cigar Emp.	36 Engle St.
0215-33-045-008	Sotland & Gettenberg LLC	40 N. Van Brunt St.
	<i>v/a</i> Grand Cru Food & Wine	
0215-33-024-012	21 Palisade Avenue LLC <i>v/a</i> Blue Moon	21 E. Palisade Ave.
	Mexican Cafe	
0215-33-007-009	JDA, LLC <i>v/a</i> Blueside Grill	126 Engle St.

BE IT FURTHER RESOLVED that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

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

4. WHEREAS in 2002 the City received a grant commitment \$1,833,332 from the NJ Department of Education for the establishment of "the Academies @ Englewood" and WHEREAS the City has receive total reimbursements from the State of \$1,465,993 leaving a balance of \$367,334; and

WHEREAS the City has been unable to collect this balance since 2004 and it's presence on the Trial Balance of the City's General Fund serves to inflate the City's assets. The City Auditor and City Manager have recommended that this receivable be reduced over three years (2007, 2008, and 2009) so that the City's Financial Status is more accurately portrayed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen that the City Chief Financial Officer and the City Auditor are hereby authorized to reduce the receivable entitled "Academies @ Englewood" over a three year period as recommended by the City Manager and City Auditor as being uncollectible at this point in time.

5. WHEREAS, the City removed underground fuel storage tanks at the City Police Department and has filed reports on this removal and site investigations with the State Department of Environmental Protection; and

WHEREAS, the NJDEP has raised a number of issues and concerns that must be addressed to close out this project;

WHEREAS, Warren and Panzer did the original site exploration and prepared the initial reports and it is now necessary to extend their contract to address the concerns raised by NJDEP; and

WHEREAS, the City Engineer has received a proposal from Warren and Panzer for these services at a cost not to exceed \$14,650 and deemed the costs to be reasonable; and

WHEREAS, engineering services are a professional service under the provisions of the Local Public Contracts Law; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that a professional services contract is awarded under the provisions of N.J.S.A.40A:11-5(1)(a) to Warren and Panzer Engineers, 228 East 45 th Street, New York, NY for the following services: develop and implement the necessary work plan and remedial investigation report to respond to the NJDEP concerns over discovered underground contamination relating to the former police fuel storage tank.

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6. WHEREAS, Block 610, Lot 33.01 has been scheduled to be placed on the tax sale list delinquent taxes for 2007; and

WHEREAS, the subject lot at issue is a parking lot utilized by retail facilities fronting on Nathaniel Place; and

WHEREAS, the retail shopping center referred to as Palisades Court has been fully assessed for property tax purposes and the subject parking lot, title to which is currently held by WESTRA, a district management corporation created by the City of Englewood, should not be separately assessed at the time;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the Block 610, Lot 33.01 taxes for 2007 be cancelled.

7. BE IT RESOLVED by the City Council of the City of Englewood that the following appointments are hereby confirmed:
BOARD OF ADJUSTMENT

Howard Shafer, 87 Spring Lane, appointed to an unexpired four-year term expiring December 31, 2009.

Theresa Thomas, 279 Genesee Avenue, appointed to an unexpired two-year term as Alternate #1, expiring December 31, 2008.

Mr. Reddin moved that the following resolution be adopted. Ms. Schoen seconded the motion. Upon roll call, Mr. Drakeford voted "No"; all other Council members present voted "Yes". President Rosenzweig declared the motion carried.

WHEREAS Pursuant to an Agreement between the City of Englewood and David Bowman, the current Chief of Police, Chief Bowman will be resigning effective January 1, 2009; and

WHEREAS Robert Casey, the Interim City Manager, has recommended that the City establish a leadership succession plan for the Police Department given the agreed upon terminal leave and retirement of Chief David Bowman; and

WHEREAS the Interim City Manager has appointed Arthur O'Keefe, the current Deputy Chief of the Police Department, as the new Chief effective January 2, 2009; and

WHEREAS Article VI of the City Charter and Section 19-8(c) of Chapter 19 of the Revised General Ordinances requires that appointment of the Police Chief by the City Manager be confirmed by the City Council; and

WHEREAS Arthur O'Keefe has the necessary training, experience, and temperament to provide the proper management of the Police Department and to maintain the public safety for the City of Englewood;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, that the appointment of Arthur O'Keefe as the City of Englewood's Police Chief effective January 2, 2009 is hereby confirmed.

Mr. Johnson moved that the following resolution be adopted. Ms. Schoen seconded the motion. Upon roll call, Mr. Drakeford voted "No"; all other Council members present voted "Yes". President Rosenzweig declared the motion carried.

WHEREAS on April 23, 2007, the City Council authorized a contract with Jersey Professional Management to provide Robert F. Casey as the Interim City Manager for the City of Englewood; and

WHEREAS the City Council has selected a new City Manager who will assume office on July 7, 2008; and

WHEREAS with the employment of a new City Manager the prior contract with Jersey Professional Management and Robert F. Casey is concluded; and

WHEREAS it is in the City's best interest to retain the services of Robert F. Casey to provide transitional assistance to the new City Manager, with this assistance being at the discretion of the new City Manager; and

WHEREAS Jersey Professional Management and Robert F. Casey have agree to extend the prior contract to provide these transitional services, said contract extension providing that Robert F. Casey will no longer be a part time employee of the City and Jersey Professional management will be paid for services rendered on an hourly basis at the rate of \$100 with a maximum cap at 100 manhours;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, the County of Bergen that the existing Contract with Jersey Professional Services and Robert F. Casey is hereby supplemented to provide transitional and management assistance services to the incoming City Manager, to be used at the discretion of the new City Manager, in an amount not to exceed \$10,000

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

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President Rosenzweig declared the public session open and the following persons spoke: Curtis Caviness, 41 E. Forest Ave, believes the Council is motivated by racism.

Carter Jackson, NAAACP, questioned the appointment of the Police Chief.

Norman Gortlyn, Madison Ave, wants the Council to require Planning Board members to disclose political contributions.

Warren Newman, 143 Engle St, ran for County Committee, accused an adversary of slander.

Gene Skurnick, 296 Marlboro Rd, questioned developers' agreements.

Alva Jones, King Gardens, would prefer to spend tax dollars improving the City in lieu of the City Manager's increased salary.

Carla Burke, 20 Grant St, asked responsibility for shade trees; asked about flood remediation of Forest Ave; asked about the Route 4 extension.

Joe Clark, John St, asked about the tank removal at the Public Safety Complex.

Rick Willoughby, Shepard Ave, commented on racism.

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

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

City Clerk