

Englewood, N.J., June 19, 2007

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 8:00 P.M..

Present: Mayor Michael Wildes; Council President Charlotte Bennett Schoen; Council members Ken Rosenzweig, Scott Reddin, Jack Drakeford, and Gordon Johnson.

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

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

Mr. Johnson moved that the minutes of the May 15, 2007 Council meeting be approved. Mr. Reddin seconded the motion. Upon roll call, all Council members present voted "Yes". President Schoen declared the motion carried and the minutes approved.

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

Mayor Wildes commented on past and upcoming events.

Rose Heck and the Light Rail Panel gave a presentation supporting light rail through the area.

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President Schoen stated that consideration would be give to the following ordinances:

07-12 AN ORDINANCE AMENDING SECTION 25-53 OF CHAPTER 25 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO PUBLIC SAFETY COMPLEX PARKING AREA, LOT L.

The City Clerk read the ordinance by title.

President Schoen declared the public hearing open and the following person spoke:

Norman Gorlyn, 150 Madison Ave, asked that the Bergen Family Center be allowed to use the lot.

Elie Kelly, 350 Shepard Ave, commented that the Bergen Family Center has their own lot.

David Popkin would like to have City Hall included as a destination.

When no one else wished to speak on the ordinance, President Schoen closed the public hearing.

Mr. Drakeford moved that the ordinance be amended to establish the restrictions Monday through Friday, 8:00 AM - 6:00PM. Mr. Johnson seconded the motion.

Upon roll call, all Council members present voted "Yes".

Mr. Drakeford moved that the ordinance pass on final reading and that the ordinance be published by title only in the Press Journal. Mr. Reddin seconded the motion. Upon roll call, all Council members present voted "Yes". President Schoen declared the motion carried and the ordinance duly adopted.

President Schoen stated that consideration would be give to the following ordinances:

07-13 BOND ORDINANCE OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, AMENDING ORDINANCE NO. 06-08 OF THE CITY OF ENGLEWOOD PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF ENGLEWOOD AND APPROPRIATING \$5,345,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$5,090,388 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME.

The City Clerk read the ordinance by title.

President Schoen declared the public hearing open and when no one wished to speak on the ordinance, she closed the public hearing.

Mr. Reddin moved that the ordinance pass on final reading and that the ordinance be published in full in the Press Journal. Mr. Johnson seconded the motion. Upon roll call, all Council members present voted "Yes". President Schoen declared the motion carried and the ordinance duly adopted.

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President Schoen explained the Resolutions on the agenda.

Mr. Johnson 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 Schoen 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, 2007 at 12:01 AM and ending June 30, 2008 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be done during the 2007-2008 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. t/a Englewood Liquors | 42 E. Palisade Ave. |
| 0215-33-017-002 | One W. Englewood Ave., Corp. t/a Club One West | 1-3-5 W. Englewood |
| 0215-33-027-006 | Sangria LLC t/a Sangria | 90 W. Palisade Ave |
| 0215-33-004-002 | Bergen PAC | 30 N. Van Brunt St. |
| 0215-36-046-001 | CP Englewood Lessee Inc t/a Crowne Plaza | 401 S. Van Brunt St. |
| 0215-33-020-005 | Tapas de Espana II, Inc. | 47 N. Dean St. |
| 0215-33-014-006 | AWJ Inc. t/a Solaia's | 22 N. Van Brunt St. |
| 0215-33-025-007 | Du Enterprises LLC t/a Koi Lounge | 11 N. Dean Street |
| 0215-33-006-004 | Larry Brad Drucker, Inc. t/a Cassie's Restaurant | 18 S. Dean Street |
| 0215-33-005-008 | Royal Palm Catering LLC t/a Ocean Palm | 90 Grand Ave. |
| 0215-33-022-010 | Smoke Chophouse & Cigar Emp. | 36 Engle St. |
| 0215-33-023-003 | ERA Hospitality, LLC | |
| 0215-33-045-007 | Sotland & Gettenberg LLC | |
| 0215-33-024-012 | 21 Palisade Avenue LLC t/a Blue Moon Mexican Café | 21 E. Palisade Ave. |
| 0215-33-007-009 | JDA, LLC t/a Blueside Grill | 126 Engle St. |

PLENARY RETAIL DISTRIBUTION LICENSES

| | | |
|-----------------|--------------------------------------|------------------|
| 0215-44-015-010 | Englewood Joe II Wines & Liquor, Inc | 70 Grand Ave. |
| 0215-44-013-008 | SUDHDH LLC t/a Wides Liquors | 228 W. Englewood |

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|-----------------|---|------------------------|
| 0215-44-039-003 | Maria Heredia t/a Grand Liquors & Deli | 124 Grand Ave. |
| 0215-44-028-006 | Jayshri Ambe, Inc.. t/a C&R Beverage | 91 W. Palisade Ave. |
| 0215-44-019-004 | Jerry's Outlet | 410 S. Dean St. |
| 0215-44-008-010 | Alison Beverage t/a Shop-Rite | 53 Nathaniel Pl. |
| 0215-44-004-006 | Gettenberg & Wellish, LLC T/a Englewood Wine Merchants | 3 E. Palisade Ave |

LIMITED RETAIL DISTRIBUTION

| | | |
|-----------------|--------------------------------|-------------------|
| 0215-43-002-006 | M.Y. Deli, Inc. | 548 Grand Ave. |
| 0215-43-001-005 | Jordan Convenience Corner Inc. | 190 Englewood Ave |

CLUB LICENSES

| | | |
|-----------------|----------------------------|-----------------|
| 0215-31-037-001 | Shiloh Craftsman Club | 37 Bennett Road |
| 0215-31-034-001 | Englewood Field Club | 341 Engle St. |
| 0215-31-042-001 | Congregation Ahavath Torah | 240 Broad Ave. |

2. WHEREAS, the City of Englewood can not have their overall tax rate certified since the amount of the tax levy will not be known until after the final tax levy amounts are determined by the State of New Jersey; and

WHEREAS, the City of Englewood Tax Collector and Chief Financial Officer have computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

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

1. The City of Englewood Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City for the third installment of 2007 taxes. The Tax Collector shall proceed upon approval from the Director of the Division of Local Government Services to take such actions as permitted and required by PL. 1993.c.72 (N.J.S.A.4:4-66.2 and 54:4-66.3).

2. The entire estimated levy for 2007 is hereby set at \$91,724,812.62 and the estimated tax rate set at \$ 1.840.

3. In accordance with the law the third installment of 2007 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated tax bills are mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

3. WHEREAS, the City of Englewood collects solid waste by means of a municipal collection system as part of the City of Englewood Department of Public Works; and

WHEREAS, the Bergen County Utilities Authority developed a Cooperative Marketing Program for the processing and disposal of solid waste pursuant to NJSA 40A:11.1 et seq. so that member municipalities of the cooperative pricing system may achieve the best prices available; and

WHEREAS, on June 18, 2002 the City Council approved participation in the BCUA Solid Waste Service; and

WHEREAS, it is necessary to extend the agreement with the BCUA at a per ton cost for the period June 1, 2007 through May 31, 2010 of \$79 ;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to execute an extension of the Solid Waste Service Agreement with the Bergen County Utilities Authority.

A Certificate of Availability of Funds is on file in the Office of the City Clerk.

WHEREAS, sealed bids were received on May 16, 2007 for Recreation Department Special Event Entertainment (Summer Camp Activities) in accordance with specifications therefore and following public advertisement; and

4. WHEREAS, the only responsible bid received was:

| | |
|---------------------|----------|
| Magical Enterprises | |
| 14 Plains Drive | |
| New City, NY 10956 | \$36,990 |

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Magical Enterprises in the total amount of \$36,990 be accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Magical Enterprises for Recreation Department Special Event Entertainment (Summer Camp Activities) in accordance with the specifications therefore; and

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.

5. WHEREAS, sealed bids were received on June 18, 2007 for 2007 Police Vehicles Using Lease-Purchase Financing in accordance with specifications therefore and following public advertisement; and

WHEREAS, the only responsible bid was submitted by Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 and 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 Winner Ford in the amount of \$33,148 per vehicle, fully equipped 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 Winner Ford for 2007 Police Vehicles Using Lease-Purchase Financing 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.

6. WHEREAS, sealed bids were received on May 31, 2007 for Chain Link Fence Services in accordance with specifications prepared therefore and following public advertisement as required by law; and

WHEREAS the bid submitted by Arnie Fence is in compliance with the specifications in the amount of \$500 and based upon the recommendation of the Purchasing Agent is in the best interest of the City; 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 bid submitted by Arnie Fence in the amount of \$500 is hereby accepted for a term of one year; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Arnie Fence to carry out the foregoing purpose.

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

7. WHEREAS, sealed bids were received on May 31, 2007, for Plumbing Services for a period of one year, in accordance with specifications therefore and following public advertisement; and

WHEREAS, bids were received as follows:

| <u>Company</u> | <u>Amount</u> |
|-------------------------------|-------------------|
| Binsky & Snyder Services, LLC | \$ 89.00 per hour |

WHEREAS, the bid submitted by Binsky & Snyder 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 Binsky & Snyder Services, LLC in the amount of \$ 89.00 per hour for a one year contract be accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and Binsky & Snyder Services, LLC for Plumbing 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.

8. WHEREAS, the City Council of the City of Englewood deems it appropriate to enhance the recruitment and retention of emergency medical volunteers in the in the City of Englewood; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, New Jersey, that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the emergency medical volunteers in the City; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is herewith delegated the responsibility to administer the program and the City Manager is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145.

9. WHEREAS, the City of Englewood operates a parking garage on South Dean Street and utilizes a third party contractor to man the facility, provide security, and collect fees; and

WHEREAS, the City Manager has recommended that the contract for the existing Parking Management firm not be extended and the garage operation be handled by the use of City Parking Enforcement employees;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the recommendation of the Interim City Manager is accepted and the Manager is authorized to take all necessary action to implement his recommendation of June 12 concerning the operation of the South Dean Street Parking Garage.

10. WHEREAS, an emergent condition has arisen in that the City of Englewood is expected to enter into contracts, commitments, or payments prior to the 2007 Budget and no adequate provision has been made in the 2007 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 \$32,165,847.16;

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 \$9,624,957 (Schedule A);

and

BE IT FURTHER RESOLVED that emergency temporary appropriations offset by an item of revenue are hereby made in the amount of \$80,176.16 (Schedule B); and

BE IT FURTHER RESOLVED that said emergency temporary appropriations will be provided for in the 2007 budget and a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

11. WHEREAS, the Health Department of the City of Englewood desires to apply for and obtain a Health Community Development grant from the New Jersey Department of Health and Senior Services for \$10,000 to carry out a project entitled, "Get Fit Englewood";

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, Bergen County, New Jersey, does hereby authorize the application for such a grant and receipt of said funds; and

BE IT FURTHER RESOLVED, the Acting Director of the Health Department is hereby authorized to execute said grant application and agreement and any other documents necessary in

connection therewith and does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Englewood Department of Health and the New Jersey Department of Health and Senior Services.

Mr. Johnson moved that the following resolution be adopted. Mr. Reddin seconded the motion. President Schoen stated that the Bond was linked to Lincoln School and the school can not be renovated. Upon roll call, Mr. Drakeford voted "No"; all other Council members present voted "Yes". President Schoen declared the motion carried and the resolution duly adopted.

WHEREAS the City Council approved Bond Ordinance No. 04-30 providing for the development of a community center in the Lincoln School; and

WHEREAS the City Council has decided that Lincoln School shall be sold in order to recover the purchase cost of the facility; and

WHEREAS in 2006 the City issued a Bond Anticipation Note for this Bond Ordinance and said note is scheduled to be renewed in July 2007; and

WHEREAS the Interim City Manager has recommended that this BAN not be renewed and the existing BAN be paid off with the funds obtained from the initial issuance; however this non-renewal could jeopardize any use of Bond Ordinance No.04-30 in future years;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey that the recommendation of the Interim City Manager is accepted and the Manager is authorized to delete Bond Ordinance No. 04-30 from the July BAN sale; and

BE IT FURTHER RESOLVED that certified copies of this resolution be provided to the Chief Financial Officer of the City and the City Auditor for their information and implementation.

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Mr. Reddin introduced the following ordinances by title:

- 07-14 AN ORDINANCE AMENDING ORDINANCE 05-08 and 06-13 ESTABLISHING FEES FOR THE SOUTH DEAN STREET PARKING GARAGE, THE DEPOT SQUARE PARKING LOT, AND THE BERGEN STREET PARKING LOT.
- 07-15 AN ORDINANCE APPROPRIATING \$81,100 FROM THE CAPITAL IMPROVEMENT FUND OF THE CITY OF ENGLEWOOD TO PURCHASE AN AMBULANCE FOR THE USE OF THE ENGLEWOOD VOLUNTEER AMBULANCE CORPS
- 07-17 AN ORDINANCE AMENDING SECTION 13-58 OF SUBARTICLE H OF ARTICLE 1 OF CHAPTER 13 OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD RELATING TO INSPECTIONS UNDER THE PROPERTY MAINTENANCE CODE
- 07-18 AN ORDINANCE AMENDING ORDINANCE NO. 05-17 OF THE CITY OF ENGLEWOOD

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 July 17, 2007; a public hearing for 07-18 be held on July 10, 2007. Mr. Drakeford seconded the motion.

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

Mr. Johnson introduced the following ordinance by title.

- 07-16 AN ORDINANCE FIXING THE ANNUAL SALARIES TO BE PAID TO OFFICERS AND EMPLOYEES IN THE UNCLASSIFIED SERVICE OF THE CITY OF ENGLEWOOD

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 July 17, 2007. Mr. Drakeford seconded the motion.

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

President Schoen declared the public session open and the following persons spoke:
 Gloria Draper, Forest Ave, asked about the future plans for a Community Center.
 Norman Gorlyn, Madison Ave, asked about forming a committee to review the future of Lincoln and Liberty Schools; he suggested photo ID for all tradesmen and would like surveillance cameras in Mackay Park.
 Curtis Caviness, 41 E. Forest Ave, asked about Englewood Day; questioned the expense of \$6,000 for an ad for a director of the Health Dept.
 Elie Kelly, 320 Shepard Ave, asked about selling the schools, the jitney, and the street cleaning schedule.
 Helen Kipout, 99 Charles St, commented on traffic caused by trains.
 When no one else wished to address the Council, President Schoen closed the

public session.

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

Clerk

City