

Englewood, N.J., July 17, 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: Council President Charlotte Bennett Schoen; Council members Ken Rosenzweig, Scott Reddin, Jack Drakeford, and Gordon Johnson.

Absent: Mayor Michael Wildes.

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.

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

Mr. Johnson moved that the minutes of the June 19 and July 10, 2007 Council meetings be approved. Mr. Reddin seconded the motion. Upon roll call, Mr. Rosenzweig abstained on the June 19 minutes and "Yes" on July 10; all other Council members present voted "Yes". President Schoen declared the motion carried and the minutes approved.

Mr. Drakeford 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 1b - 1g of these minutes) is hereby made a part of the minutes of this meeting.

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

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

07-17AN 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

The City Clerk read the ordinances by title.

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

Betty Grossman, 398 Marlboro Rd, is opposed to equalizing the parking fees in all City
lots; she asked about property maintenance inspections.

Norman Gorlyn, Madison Ave, asked for an accounting of the parking garage.

Richard Crane, EVAC, thanked the City Council for the purchase of a new ambulance.

Mr. Lake, N. Woodland St, would like to inspect the agreement for the parking garage
management.

Sandra Slipp is in favor of full time building inspectors.

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

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

1. WHEREAS, the Englewood City Council adopted a Resolution on June 20, 2006 to
modify the City's obligation to pay for post-retirement medical coverage for qualifying
employees; and

WHEREAS, that Resolution would limit these payments to age 65 for all unclassified
employees including the City Manager, and make their benefit consistent with that provided to
members of the collective bargaining units; and

WHEREAS, the June 20, 2006 Resolution was not received by the State Health Benefits
Commission and thus has not taken effect and the following Resolution is being adopted to ensure
implementation of this change;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood,
#0861-00, Bergen County, New Jersey, that the City Council hereby elects to adopt the provisions
ofNJSA 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health
Benefits Commission to implement the provisions of that law and that this resolution affects the
employees as shown on the attached Chapter 48 Resolution Addendum, effective on the 1st day of

August, 2007; and

BE IT FURTHER RESOLVED, that we are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any Chapter 88 or Chapter 48 Resolution adopted previously by this governing body; and

BE IT FURTHER RESOLVED, that we agree that this Resolution will remain in effect until properly amended or revoked with the State Health Benefits Program and that we recognize that, while we remain in the State Health Benefits Program, the City of Englewood is responsible for providing the payment for post-retirement medical coverage as listed in the Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force; and

BE IT FURTHER RESOLVED, that the City of Englewood. understands that it is required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detain post-retirement medical payment obligations undertaken and the City of Englewood also recognizes that we may be required to provide the Division with information needed to carry out the terms of this Resolution.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a certified copy of this Resolution and Addendum with any other required information to the appropriate officials of the State Health Benefits Program.

2. BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey that the City Clerk is hereby authorized to sign, issue, and deliver alcoholic beverage licenses to each of the persons, associations, firms, corporations, or clubs on the list annexed hereto as Exhibit A. to be effective only at the locations set forth after their respective names for the period beginning July 18, 2007 at 12:01 a.m. 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 license will be done during the 2007-2008 year.

Schedule A
LICENSES

	NAME	LOCATION
Plenary Retail Consumption 0215-32-011-006	TSH WINE & LIQUOR INC. Av. t/a OPRANDY'S WINES & Liq.	14-16 E. Hudson
Club 0215-31-030-001	AMERICAN LEGION INC. t/a Henry Douglas Post #58AL	HENRY DOUGLAS POST #58 151 W. Forest Ave.

3. WHEREAS, sealed bids were received on May 17, 2007 for Uniforms for the Department of Public Works in accordance with specifications prepared therefore and following public advertisement as required by law; and

WHEREAS, the lowest, responsible bid received was submitted by Somes Uniforms, Inc., 314 Main Street, Hackensack, NJ 07602-0068, in the amount of \$21,273; and

WHEREAS, the bid submitted by Somes Uniforms, Inc. is in compliance with the specifications and based upon the recommendation of the Purchasing Director is in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood

that the bid submitted by Somes Uniforms, Inc. in the sum of \$21,273 for Uniforms for the Department of Public Works 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 Somes Uniforms, Inc. 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.

4. 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, 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 \$20,000.

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

5. WHEREAS, a Bergen County Community Development Grant of \$50,000 has been proposed by Mt. Calvary Baptist Church of Englewood for Calvary Cares CDC Summer Academy, 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.

6. WHEREAS, the City Council is concerned about the quality of life for the residents of the City of Englewood and has deemed it important to identify opportunities to improve the quality of

life and protect property values for its residents; and

WHEREAS, the City is always looking toward the future and recognizes that traffic has increased radically in the past 10 years; and

WHEREAS, the City is constantly searching for ways to reduce traffic congestion from the road and thereby improving the ecological and economic strife that it causes; and

WHEREAS, the City has identified an opportunity to improve the efficiency of our residents' commute into New York City; and

WHEREAS, New Jersey Transit and Rockland Coaches service the residents of Englewood and the surrounding communities in this regard; and

WHEREAS, by scheduling a bus route to the new ferry terminal in Edgewater, New Jersey, another option for those residents who commute to New York City would be available;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, Bergen County, New Jersey respectfully requests that New Jersey Transit and Rockland Coaches provide bus service between the towns of the Northern Valley and the new ferry terminal in Edgewater, New Jersey, greatly benefitting the residents of Englewood and surrounding communities.

7. WHEREAS the City of Englewood authorized the purchase of an ambulance from Campbell Supply Company on August 8, 2006; and

WHEREAS the Englewood Volunteer Ambulance Corp requested several changes to the specifications for the ambulance resulting in an increase in the bid price of \$7,121.53; and

WHEREAS the Chief Financial Officer of the City has certified that funds are available to finance this changeorder; and

WHEREAS the City Manager recommends that this change order be approved since the changes were required by the Englewood Volunteer Ambulance Corps;

NOW THEREFOR 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; Changeorder #1 to the Contract with Campbell Supply for one ambulance in the amount of \$7,121.53 is hereby approved increasing the total of this contract to \$166,062.53; and the City Manager is authorized to take all necessary action to implement this contract amendment.

8. WHEREAS the City of Englewood authorized the renovation of the first floor bathrooms of the Englewood Public Library at the May 15 meeting; and

WHEREAS the Englewood Library Board of Trustees wishes to accept alternate 1 to the bid for new toilet partitions at a cost of \$6,100; and

WHEREAS the Library Board of Trustees has provided the necessary funding for this change order and Chief Financial Officer of the City has certified that funds are available to finance this changeorder; and

WHEREAS the City Manager recommends that this change order be approved since the changes were funded by the Englewood Library Board of Trustees;

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, Changeorder #1 to the Contract with Brahma Construction Corp in the amount of \$6,100 is hereby approved increasing the total of this contract to \$31,600; and the City Manager is authorized to take all necessary action to implement this contract amendment.

9. WHEREAS the City of Englewood authorized the replacement of the HVAC systems at the Public Safety Complex at the May 15 meeting; and

WHEREAS the existing system serving the Municipal Court facilities failed and it was necessary to install temporary air conditioning for a three month period until the availability of the new equipment in October at a cost of \$27,000; and

WHEREAS the existing system providing make up air for portions of the Police Department failed resulting in excessively high CO2 levels and it was necessary to install temporary air handling equipment for a three month period until the availability of the new

equipment in October at a cost of \$8,390; and

WHEREAS the City Manager recommends that this change order be approved since the absence of this equipment would make the facilities unusable with a significant impact on the ability to service the public and/or accomplish required duties;

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; Changeorder #1 to the Contract with C. Dougherty & Company in the amount of \$35,390 is hereby approved increasing the total of this contract to \$280,390; and the City Manager is authorized to take all necessary action to implement this contract amendment.

10. BE IT RESOLVED that the Annual Schedule of Council Meetings for the Year 2007 is

amended as follows:

REGULAR FORMAL MEETINGS

Municipal Court, Public Safety Building.

Executive Meeting at 7:30 p.m. precedes Regular Formal Meeting.

Dates are **Tuesdays** except where otherwise indicated.

July		31	
August	14		
September		4	
September	11		
October		2	
October	16		
November			7 (Wed.)
November	20		
December			11
December	18		

11. WHEREAS the Englewood Volunteer Ambulance Corps has obtained a loan from the NJ Department of Community Affairs for a portion of the costs of a new ambulance for the use of the Corps; and

WHEREAS the City of Englewood is providing the majority of the funding for this new ambulance and will retain ownership of the vehicle; and

WHEREAS the Department of Community Affairs, prior to the release of the loan to the Volunteer Ambulance Corps, requires a resolution of the City Council certifying that the City of Englewood will provide any additional funding required for this purchase; and

WHEREAS the City Manager recommends that this resolution be provided to facilitate the loan process;

NOW THEREFOR 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; the City of Englewood will provide the required funding for the purchase of this ambulance for use by the Englewood Volunteer Ambulance Corps as cited in Ordinance 07- 15; and the City Manager is authorized to take all necessary action to implement the receipt of the loan for the Volunteer Ambulance Corps to provide this ambulance.

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

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 \$35,750,263.16;

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 \$3,584,416 (Schedule A); 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.

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Mr. Reddin introduced the following ordinance by title:
07-19 AN ORDINANCE FIXING THE ANNUAL SALARIES TO BE PAID TO CITY EMPLOYEES WITHIN THE DPW GROUP OF THE CITY OF ENGLEWOOD AS OF JANUARY 1, 2005.

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 31, 2007. Mr. Johnson seconded the motion.

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

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President Schoen declared the public session open and the following persons spoke:
Sam Simon, 41 Bandker St, stated that the storm drains in the area are clogged and cause flooding.

Kevin Lake 328 N. Woodland St, commented that the painted lines in the street near the parking garage were paved over.

John Edgford, 136 Humphrey St, stated that his street is leaking and needs repair.

Cornelia Rogers, Humphrey St, commented on sink holes and leaking in the streets.

Norman Gorlyn, believes that any tax increase caused by the revaluation of properties should be spread out over 3 years.

Sondra Warner, 369 Murray, commented that the schools are bad and a tree needs to be removed.

Thomas Lanzano, 157 Durie Ct, wants to start a homeowners association.

Ed Boylan, 270 Van Nostrand, asked about the budget increase.

Deborah Paul, 96 Oak St, commented that the shooting at Wides Corner could have been prevented by a community center; Mr. Drakeford stated that the present Council is not concerned about a community center at this time; Mr. Rosezweig stated that the community center is a failed project of past Councils.

Curtis Caviness, 41 E. Forest Ave, commented on the neglect in upkeep of Mackay Park; he commented on the Health Dept line item budget.

Martha Arons, 346 Broad Ave, commented that the shooting has no correlation to a community center; she believes the taxes are too high and would like the council to adopt an emergency resolution spreading the increase over years.

Pasquale DeVito, 2 Howard Pl, stated that his taxes rose 3x and wants the increase spread over years.

Carter Jackson NAACP, commented that contractors and new employees of the City

should be local; the new Director of Health is not certified.

Dr. Kelvick, 37 Kickerbocker Rd, complained about the sidewalk repairs in front of her house that damaged a tree.

Gene Skurnick, 296 Marlboro Rd, stated that the City Council has failed to force developers to pay fair share in taxes.

Frank Ciffarone, Hackensack, asked if the assessments can be lowered.

Richie Drakeford, Elks Club, commented that the Elks Club provides refreshments for the parade participants. This expense was always paid in advance by the City but to date, he has not been reimbursed.

Clara Nevo, Bergenfield, suggested a constitutional convention to amend the revaluation laws.

Lena Hong, 275 Engle St, stated that her taxes on her condo went up \$5,000 after the revaluation.

Tanya Diaz, 460 Westview Ave, complained that her property is split between two municipalities and would like Englewood to let her property be totally in Fort Lee.

Helen Kipout, 99 Charles St, would like the tax increase resulting from the revaluation to be spread over years.

Ms. Revus, 127 Van Nostrand, stated that she is on a fixed income and can not pay the increase in property taxes.

Gerald Chambers, 294 Garden St, commented that the new Director of Health is not qualified and is a political appointment.

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.

City Clerk