

Englewood, N.J., December 11, 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 7:30 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 Gorman, Assistant 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.

City Manager discussed several items with the City Council and agenda review.

Mr. Johnson moved that the minutes of the November 7 and 20, 2007 meetings be approved. Mr. Drakeford seconded the motion. Upon roll call, all Council members present voted "Yes". President Schoen declared the motion carried and the Minutes duly approved.

Mr. Johnson moved that the following Resolution be adopted. Mr. Rosenzweig 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 (page 1a-1d of these minutes) is hereby made a part of the minutes of this meeting.

Mayor Wildes commented on past and upcoming events and the continuing suspension of Police Chief Bowman.

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President Schoen stated that consideration would be given to the following ordinance:
07-33 AN ORDINANCE SUPPLEMENTING CHAPTER 2, ADMINISTRATION AND ORGANIZATION, ARTICLE 3, THE CITY MANAGER, PROVIDING FOR THE TERMS AND CONDITIONS OF EMPLOYMENT FOR THE POSITION OF CITY MANAGER
The City Clerk read the ordinance by title.

President Schoen declared that the public hearing on the ordinances and the following person spoke:

Curtis Caviness, 41 E Forest Ave, is opposed to extending benefits for a position that is not filled.

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

Mr. Reddin moved that the ordinance be adopted and that the ordinance be published once, by title only, with the usual legal notice in the Press Journal. 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 and the ordinance duly adopted.

President Schoen reviewed the Resolutions on the agenda.

Mr. Drakeford 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 Schoen declared the motion carried and the resolutions duly adopted.

1. WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and
WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and
WHEREAS, in the 2008-09 grant cycle, priority funding will be given to county projects to perform municipal inventories for all of their municipalities; and
WHEREAS, the City of Englewood desires to collaborate with Bergen County in the performance of an archives and records management inventory, needs assessment, and strategic plan; and
WHEREAS, the City of Englewood urges the county to develop a proposal to perform county-wide municipal inventories, needs assessments, and strategic plans; and
WHEREAS, the City of Englewood is acknowledging that Bergen County would be both the lead agency and the applicant for such a proposal;
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, Bergen County, New Jersey, does support participation in the PARIS grant for the purposes set forth above.

2. WHEREAS, NJS A 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and
WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and
WHEREAS, the City of Englewood has received notice of an award from the State of New Jersey Special Legislation and wishes to amend the 2007 Budget to include this amount as a revenue;
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the total sum of \$ 358,125 which is now available as a revenue from:

- Miscellaneous Revenues
 - Special Items of General Revenue Anticipated with Prior Written Consent of the Director of the Division of Local Government Services:
 - State and Federal Revenues Off-set with Appropriations:
 - County of Bergen - Division of Community Development
 - Open Space Park Improvement program \$ 353,125
 - State of New Jersey - Dept of Health and Senior Services
 - Hepatitis B Inoculation Fund \$ 5,000

BE IT FURTHER RESOLVED that a like sum of \$358,125 is hereby appropriated under the caption of:

- General Appropriations
 - (a) Operations Excluded from CAPS
 - State and Federal Programs Off-set by Revenues:
 - Open Space Park Improvement Program

\$353,12

Hepatitis B Inoculation Fund

\$
5,000

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

3. WHEREAS, the Vincente K. Tibbs Child Development Center is the Provider Agency to deliver certain social services including the operation of a child care center; and

WHEREAS, the New Jersey Department of Human Services has been duly designated to administer or supervise the administration of social service programs as defined in the New Jersey
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State Plans for Social Services; and

WHEREAS, the New Jersey Department of Human Services policies establish that resources may be donated by a public donor in the form of cash or In-Kind contribution to be used as a match in the provision of social services; and

WHEREAS, the City of Englewood wishes to make a donation to Vincente K. Tibbs to support services provided by it;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood hereby authorizes the execution of a Public Donor Agreement with Vincente K. Tibbs Child Development Center in the amount of \$58,413 for 2008 subject to budgetary appropriations.

4. WHEREAS, sealed bids were received on December 6, 2007 for a Fire Pump Truck in accordance with specifications prepared therefore and following public advertisement as required by law; and

WHEREAS, the only responsible bid received was submitted by Absolute Fire Protection Co., Inc., 2800 Hamilton Blvd., South Plainfield, NJ 07080 in the amount of \$500,158 with trade-in; and

WHEREAS, the bid submitted by Absolute Fire Protection, Co., Inc., is in compliance with the specifications and based upon the recommendation of the City Treasurer 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 Absolute Fire Protection Co. Inc., in the sum of \$500,158 with trade-in for a Fire Pump Truck 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 Absolute Fire Protection Co., 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.

5. WHEREAS, the City and Local 11 of the International Brotherhood of Teamsters have successfully negotiated a labor contract for the period January 1, 2005 through December 31, 2009; and

WHEREAS, the City Council in Ordinance No. 07-19 approved the salary and wage benefits contained in the agreed upon contract; and WHEREAS, it is now necessary to approve the formal contract document; and

WHEREAS, the City Manager and Director of Public Works recommend that this contract be approved;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, that the Labor Agreement between the City of Englewood and Local 11 of the International Brotherhood of Teamsters is hereby approved and the City Manager is authorized to execute the same on behalf of the City.

6. WHEREAS, Englewood Redevelopment Associates Residential PAD, LLC., a Limited Liability Company of the State of New Jersey, the owner of block 2517 lot 3.03, Englewood Commons, South Van Brunt Street and Nordhoff Place, has installed a storm draining line under Nordhoff Place Extension to allow their storm water retention basin to drain to the storm water trench adjacent to the CSX Railroad Tracks ; and

WHEREAS, some of the drainage from ERA North Development will flow into the storm water retention basin being constructed by Englewood Redevelopment Associates PAS, LLC and will eventually exit this facility through the proposed storm water drain line under Nordhoff Place; and

WHEREAS, the City Manager and the City Engineer recommend that an easement be approved to allow the periodic maintenance and repair of this storm water drainage line by Englewood Redevelopment Associates;

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 and City Engineer is hereby accepted and the City Manager is authorized to execute the Easement on behalf of the City.

7. WHEREAS, the City of Englewood has determined a need to reconstruct the Mackay Park Soccer Field; and

WHEREAS, a preliminary expense reserve is necessary and that the amount to be charged is for the purpose for which bonds may be issued under Chapter 2 of Title 40A; and

WHEREAS, Ordinance No.06-08 as amended by Ordinance No. 07-13 provides funds for Park Improvements at Depot Park and it is the intention of the City to amend this ordinance to allow these funds to be expended for eligible park improvements at any public park in the City; however this amendment cannot be adopted until January 2008;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the amount appropriated for preliminary costs shall not exceed \$57,000 and the Chief Financial Officer is authorized to set up a "Reserve for Preliminary Expenses" out of the Capital Improvement Fund of the General Capital Fund.

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President Schoen declared the public session open and the following persons spoke:

Joyce Jackson, 216 Warren St, commended Pauls Jenkins for here leadership during her tenure with the Health Department.

Nancy Geist, LaRouche organization, asked for Council support of legislation pertaining to homeowner mortgage protection.

Carter Jackson, NAACP, asked when Chief Bowman would be reinstated and when a City Manager would be hired.

William Corken, Bergen County Police Chiefs Association, called for the reinstatement of Chief Bowman.

Elie Kelly, 350 Shepard Ave, asked about an emergency communications system and the status of the Community Center

Deborah Hunt, VFW, asked for the reinstatement of Chief Bowman.

Shirley Smith, 374 W. Palisade Ave, wants the residents immediately surrounding the Lincoln/Liberty Schools to be notified directly regarding information forums.

James Edmonds, 341 Washington Pl, wants Tryon Field repaired; he asked for the reinstatement of Chief Bowman.

Thelma Hendrickson asked for the reinstatement of Chief Bowman.

Donna Prescod, DuBois Ct, asked for the reinstatement of Chief Bowman.

Alva Jones, King Gardens, asked for the reinstatement of Chief Bowman and Paula Jenkins to the Health Department.

Derrick Callous, is disappointed in the sale of Lincoln/Liberty Schools.

Michael Wildes, 250 Allison Ct, asked for the reinstatement of Chief Bowman; he stated the City Charter allows for the Council to move on the action regardless of the administrative process and called for a motion to adopt a resolution approving the reinstatement. Mr. Drakeford moved the resolution. The Mayor called for a second. Mr. Bailey advised the Council not to interfere with the administrative process nor discuss personnel matters in public.

John Edwards, Teaneck, asked for the reinstatement of Chief Bowman and suggested boycotts and demonstrations.

Michael Lotus, American Legion, asked for the reinstatement of Chief Bowman.

Gerry Chambers, 294 Garden St, asked for the reinstatement of Chief Bowman and commented on actions by the Council.

Stanley Sturgis asked for the reinstatement of Chief Bowman.

Cornelia Rogers, Humphrey St, asked for the reinstatement of Chief Bowman and Sgt. Jackson.

Gerald Marion, 271 Franklin Rd, supports the Avon March benefitting breast cancer research asked for the reinstatement of Chief Bowman and Sgt. Jackson.

Dorothy Thomas asked for the reinstatement of Chief Bowman and commented that the City was better run by former City Manager Robert Benecke.

Rev. Taylor asked for the reinstatement of Chief Bowman and Sgt Jackson.

Agnes McClendon asked for the reinstatement of Chief Bowman and Sgt Jackson.

Curtis Caviness, 41 E. Forest Ave, compared interference by City Council members with the administrative process in the Health Department and lack of same in the Bowman matter.

James Irwin, Hackensack, asked for the reinstatement of Chief Bowman Sgt Jackson.

Bravell Nesbitt wants a community center for the youth and asked for the reinstatement of Chief Bowman and Sgt Jackson.

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Jack Silverman, Murray Ave, asked for a resolution supporting sustainability.

Delores Glover asked for the reinstatement of Chief Bowman.

Brenda Grier, 151 Engle St, commented on the lack of qualified African Americans in leadership positions during the tenure of the current Council.

Charles LeBoeff asked for the reinstatement of Chief Bowman.

Howard Hawkins, Teaneck, asked for the reinstatement of Chief Bowman and Sgt Jackson.
Louise Norther, 302 Howland, commented on the signs at a shop on Park Avenue and asked for the reinstatement of Chief Bowman and Sgt Jackson.

Alan Alston, Elks Club, asked for the reinstatement of Chief Bowman.

Gene Skurnick, 296 Marlboro Rd, commented that any troubles in the City began with former Council member Bern, Mr. Drakeford, and City Manager Robert Benecke.

Michael White, 33 Bennett Rd, asked for the reinstatement of Chief Bowman.

Warren Newman, 143 Engle St, asked for the reinstatement of Chief Bowman.

Gerald Marion, 271 Franklin St, thanked Mr. Johnson for supporting the Fire Dept Explorer Program.

Gerry Chambers, Garden St, asked for integrity on the part of the Council and a sense of community.

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