

City of Englewood
City Council Work Shop
Meeting Minutes

September 6, 2011 at 7:30pm

Roll Call: Present: Council member Kenneth Rosenzweig
Council member Michael Cohen
Council member Scott Reddin
Council member Jack Drakeford
Council member Lynne Algrant
Mayor/Council President Frank Huttle III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

Council President Huttle 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 notice as required by the Open Public Meetings Act.

Discussion:

- Hurricane Irene Wrap Up:
 - Mayor Huttle commended the hard work and effort of the City workers and emergency responders before, during and after Hurricane Irene.
 - Would like the City Manager to do an assessment of the City's response to Hurricane Irene and report back to the Mayor and Council.
 - The City Manager explained that PSE&G is willing to sit down with all of the Mayors in the area to do a follow-up meeting regarding Hurricane Irene.

2010 Audit Review:

- Donna Japhert , Partner and Elizabeth Shick, Manager of Lerch, Vinci & Higgins, LLP provided the Mayor and Council with a synopsis of the 2010 Audit that they conducted:
 - 90% of the City of Englewood's revenues are generated by taxes, and the remaining 10% come from State Aid, Fees and Permits, Grants, This breakdown is fairly typical throughout the County.
 - Englewood's debt service is less than 1% which is very good as compared to other municipalities.
 - The comments included in the Corrective Action Plan covered three (3) areas:
 - Encumbrances
 - Fixed Asset Report
 - General Comments (these do not reflect on the Financial records but with compliance issues)
 - City collects 97% of their property tax which is better than average.

Resolutions:

RESOLUTION #176-09-06-11

Certifying Review of Annual Audit by Governing Body

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the City Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations;

WHEREAS, the members of the City Council have personally reviewed at a minimum the Annual Report of Audit, and

specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the City Council; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit as per the regulations of the Local Finance Board; and

WHEREAS, all members of the City Council have received and have familiarized themselves with, at least, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and required affidavit to said Board to show evidence of said compliance; and

BE IT FURTHER RESOLVED that the Corrective Action Plan prepared by the Chief Financial Officer, is hereby approved and the Chief Financial Officer shall implement the Plan.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>	X	X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

Place the following Resolutions on the September 13th Council Meeting Agenda:

- o Renewal of Liquor Licenses for 2011-2012
- o Resolution Awarding Contract for DPW Uniforms
- o Resolution Awarding Contract for Telecommunications Audit
- o Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2011 Budget
- o Authorize Center For Food Action Application for Bergen County CD Block Grant Funds
- o Authorize Infant Senior Sharing Project, Inc. Application for Bergen County CD Block Grant Funds
- o Authorize Flat Rock Brook Nature Association Application for Bergen County CD Block Grant Funds
- o Authorize City of Englewood Application for Bergen County CD Block Grant Funds
 - o Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Demarest Avenue Reconstruction Project
- o Authorization to Enter into Grant Agreement with Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (Denning Park Soccer Field)
- o Authorize Grant Application for Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (Mackay Park Gatehouse)
- o Authorize Grant Application for Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund (Mackay Park Playground Equipment)
- o Appoint Municipal Representative for Bergen County Open Space Committee
- o Resolution in Support of the Replacement of the Jones Road Bridge

Ordinances:

Place the following Ordinance on the September 13th Council Meeting Agenda for Second Reading/ Public Hearing:

- o ORDINANCE #11-11

AN ORDINANCE AMENDING SECTION 4-17 OF THE ZONING ORDINANCE OF THE CITY OF ENGLEWOOD RELATED TO THE PLANNED UNIT DEVELOPMENT (PUD-1) OVERLAY DISTRICT
- o Planning Board found this Ordinance to be consistent with the Master Plan, made no comments and approved it.

Discussion:

- Inventory of City Owned Properties:

- The City Manager summarized the list of City-owned properties and would like the Mayor and Council to review it so a more in depth conversation can take place at a future meeting.
- Mayor and Council would like the sizes of the properties and more detailed descriptions to be provided on those properties that are recommended for sale.
- Eleanor S. Harvey Estate-Residence:
 - Consensus of the Council is to tear down the residence on the property.
 - The estimates for the tear down need to be sent to the Estate Trustee, so they can pay for it.
- Amend Ordinance #11-04:
 - Sgt. Tom Greeley, Traffic Division and David Popkin, Chair- Traffic Advisory Committee spoke about what has transpired since the signage has been erected as per Ordinance #11-04.
 - The Ordinance was put into place for the following reasons:
 - Commuter Parking
 - DPW maintenance issues (street cleaning, tree trimming, etc.)
 - To enhance traffic control enforcement.
 - Tim Dacey suggested that the Council look at the affected streets in their Ward to see if changes to the Ordinance need to be made, and that the Traffic Advisory Committee discuss this at their September 12th meeting.
- Signage at Public Safety Complex - Raymond C. Wright Public Safety Complex:
 - It needs to be determined if this can be paid for through the Capital or Current Budget.
 - A Resolution will be placed on a future agenda.

Public Session:

- Laura Borth Esq. Buckalew Frizzell & Crevina, 55 Harristown Road, Glen Rock
 - Represents the Tributary Woods Homeowners Association in a Municipal Services Act issue with the City of Englewood:
 - Seeking assurances from the City that this issue can be wrapped up in soon, and is concerned that there was no backup information for the fees sent over by the City.
- Elle Kelly 351 Shepard Avenue
 - Spoke about a poor attitude problem of the Police Dispatchers when residents call in.
 - The railroad track at Forest Avenue is in bad shape and also various locations of flooding throughout the City.
 - Liberty School is in poor condition and not being maintained properly.
 - There was a problem with a lack of communication during the power outages.

RESOLUTION #177-09-06-11

PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Contract Negotiations and Litigation

Which subject matter is permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- () Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.

() Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that, although it is not envisioned that the Council will return to open session after this meeting, the Council reserves the right to do so upon conclusion of the closed session.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Rosenzweig</i>	X	X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

ADJOURN: 9:42 PM

Motion: Reddin

All in Favor

Lauren Vande Vaarst, RMC
City Clerk