

City of Englewood
City Council Work Shop
Meeting Minutes

January 10, 2012 at 7:30pm

Roll Call: Present: Council member Marc Forman
Council member Michael Cohen
Council member Eugene Skurnick
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.

RESOLUTION #029-01-10-12

APPOINTMENT OF CLASS III MEMBER – PLANNING BOARD

BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointment is confirmed commencing January 1, 2012 and expiring December 31, 2012:

Class III Member – Planning Board

Jack Drakeford

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>				X	
<i>Cohen</i>	X	X			
<i>Drakeford</i>		X			

Discussion on Resolutions:

- Authorize Agreement for 2012 Green Communities Grant:
 - Lynne Algrant reviewed:
 - This is the award of a \$3,000 mini grant from the State.
 - The City must update its Forestry Management Plan every 10 years.
 - The monies will be used to pay the Arborist for his work on the Forestry Management Plan.
 - Wants to thank Environmental Commissioner Cynthia Sumner for all of her work on this grant.
 - Question and Comments from the Mayor and Council:
 - Councilman Skurnick asked about the matching requirement. Trees are an important part of Englewood and this is a good thing.
 - Councilman Cohen asked about the replanting of trees that came down in the storms.
- Award Professional Services Contract for Real Estate Appraiser to Defend the 2012 Tax Appeals Filed with the Bergen County Board of Taxation:
 - Tim Dacey reviewed.
 - There is a \$10,000 cap on the fee for their services.
 - The City used Realty Appraisal Co. in 2011 and they also did the recent City-wide re-assessment.
- Award Professional Services Contract to Di Cara/Rubino Architects for Reroofing, Brick Repointing and HVAC Roof Top Unit Corrective Measures:
 - Tim Dacey reviewed:
 - Hired Spectrum Infrared Services to do a scan of City Hall's roof.
 - The roof is nearly 100% wet.
 - Roof work is hard to do and highly litigated.

- HVAC unit was placed on top of the old roof when the addition was done, and the HVAC unit leaks.
 - Wants work completed by May.
 - Mayor asked about the cost of the Architect to do the design work and Bid Work.
 - Ken Albert reviewed:
 - Explained that the \$29,000 for the Architect includes \$3,500 for structural work.
 - City hall has an unusual construction which includes steel beams, terra cotta arches and concrete platforms.
 - \$4,000 is included to do Construction Observation Work on the roof which is not the usual practice, but Ken feels it is necessary in this case.
 - The roof estimate is \$60,000 and the masonry work should cost \$30,000 for a total price of \$90,000.
 - A three phase project to renovate and repair City Hall was begun in 2007:
 - ADA compliance (elevator and accessible bathrooms) and the HR Department addition were the 1st phase.
 - Roof repairs should have been the 2nd phase.
 - Construction costs to date (including both hard and soft costs) on City Hall are \$1.5 million.
 - Question and Comments from the Mayor and Council:
 - Mayor Huttle is unhappy with the way the previous Council handled the City Hall project.
 - Councilman Skurnick feels that the work needs to be done at City Hall but should be done efficiently and as quickly as possible.
 - Councilman Forman feels that the costs are too high for a 7,000 square foot roof and would like the City to get additional quotes.
 - Mr. Dacey will get two (2) additional quotes.

Discussion:

- **Ice Rink:**
 - Mayor Huttle asked Phil Vogel to do a presentation on the Ice Rink for a future Workshop meeting, and the date was set for the February 7, 2012 Workshop.
 - A young lady in the audience named Myriam presented her "Save the Rink" sign to the Mayor and Council.

Discussion on Resolutions (continued):

- Appointment of a Municipal Auditor:
 - Mr. Dacey explained that a Request for Proposals was issued in November 2011.
 - Four (4) submissions were received.
 - He is recommending Ferriaoli, Welkatz, Cerullo and Cuva, P.A. based upon their familiarity with the City, their proposal costs which was \$2,500 less than the City's current Auditor (Suplee Clooney and Company).
 - Question and Comments from the Mayor and Council:
 - Councilman Skurnick asked if this could be discussed further in tonight's Closed Session. Mr. Bailey advised that it could.
- Award of Contract for Appraisal Services for New Construction and Improvements for Added Assessments:
 - Mr. Dacey explained that a Request for Proposals was issued in November 2011.
 - Two (2) submissions were received.
 - The submissions were reviewed by the City Manager along with the CFO and Tax Assessor. The Tax Assessor explained in a memo her recommendation to appoint Realty Appraisals, and the award will not exceed \$21,000 for the 2012 calendar year.
 - Question and Comments from the Mayor and Council:
 - Councilwoman Algrant asked if this includes commercial and residential properties, and it does.
- Award of Contract for Police Department- Dispatch Area Design and Construction Documents:
 - Mr. Dacey explained that the goal is to have a Joint Dispatch Center for Englewood's Police and Fire Departments.
 - Bergen County Prosecutor agreed that forfeiture funds can be used to pay for this.
 - Councilwoman Algrant asked if the design that will be used for the Joint Dispatch Center will be easily adaptable for other uses.
 - The joint center will be located at the Police Department, and the room will be built in a functional manner so that it can be used by the Police Department in the future once the new Firehouse is built and then that will house the Joint Dispatch Center.
 - Councilman Skurnick asked why the Joint Dispatch Center design is being done before the 2012 Police and Fire Department budgets have been determined. Is a Joint Dispatch Center the way to go? Should we consider doing a Shared Services agreement with another town?
 - Mr. Dacey has been working on the Joint Dispatch Center since June feels that the City has 2 options:
 - Joint Dispatch Center
 - Being part of the County Dispatch Center
 - Question and Comments from the Mayor and Council:

- Mayor Huttle would like the City to take a look at the County Dispatch Center which cost \$20 million dollars.
- Councilman Skurnick said that there are both pros and cons to the County Dispatch Center and we need to take a hard look at it.

Ordinances for Discussion:

- An Ordinance Amending Chapter 12, Article 1 Solid Waste Disposal and Recycling, Section 12-4 of the Health & Sanitation Ordinance of the Revised General Ordinances of the City of Englewood:
 - City Clerk reviewed the need to correct the current regulations which read Rear Yard Pick Up to read Front Yard Pick Up.
 - Brought to the Clerk's attention by Charles Cobb.
- An Ordinance Amending Ordinance No. 09-23 Establishing a Green Team Pursuant to Sustainable New Jersey:
 - Bill Bailey reviewed:
 - Discussed the Sustainable New Jersey initiatives.
 - Extra points were issued for the establishment of an independent Green Team, but if you have an existing Environmental Commission you can make your Green Team a subcommittee of it.
 - Legally the two (2) entities can be merged.
 - Councilwoman Algrant commented that the Green Team includes Board of Education and Environmental Commission members.
 - There is a core active group of members on the Green Team.
 - The Green Team was designed to be a Swat Team (Action Committee).
 - She is willing to talk to the Green Team and the Environmental Commission about the merger and their working together.
- A Salary Ordinance will be added to the January 24th agenda regarding the Superior Officers in the Fire Department.

Discussions (continued):

- Presentation by Michael Kates, Esq. - Planning Board Attorney:
 - Completeness Review Procedures and New Application and Checklist Forms (Planning Board/ Board of Adjustment):
 - Current forms are confusing and not user friendly.
 - Still needs to provide the Mayor and Council with comments from Mr. Rutherford, Board of Adjustment Attorney. A new Fee Schedule will also be recommended.
 - James Street:
 - Reviewed memo he prepared for the Mayor and Council.
 - Developer's Agreement is the key and has specific statutory approval.
 - Memo included procedural steps for the entire process including rezoning.
 - Mr. Kates' recommendation is to expand the current CBD-3 zone and attach a new R-F zone to it. The City should utilize the Developer's Agreement to govern the expansion and rezoning.
 - Questions and comments from the Mayor and Council:
 - Councilwoman Algrant asked about Developer's Agreements and that in her experience they do not always work and how can the City retain control of the Developer's Agreement.
 - Mr. Kates explained that there are two (2) documents necessary; the Developer's Agreement (is the more general document) and the Comprehensive Development Plan (the more specific document).
 - Councilman Skurnick mentioned that he had met yesterday with Mayor Huttle, Councilman Forman, Tim Dacey and Michael Kates to discuss the process and the City's approach.
 - Councilman Drakeford asked who directed Mr. Kates to do the researching and who is paying him for the work.
- Traffic Advisory Committee Recommendations:
 - Memo from the City Clerk was reviewed.
- 2012 Budget:
 - Tim Dacey reviewed.
 - Mayor and Council should receive their Budget packets next week.

- Liberty School and John T. Wright Ice Arena Study:
 - Tim Dacey reviewed.
 - Cooling Tower is a \$30,000-\$45,000 item. There is a leak in the Cooling Tower but it is running for now and once it dies that will be it.
 - Mayor and Council have about 60 days to decide about the future of the Ice Rink:
 - Cooling Tower
 - Interior upgrades
 - Reroof
 - Approximately a \$400,000 capital commitment
 - Questions and comments from the Mayor and Council:
 - Councilman Skurnick asked if the Mayor and Council will be getting a detailed Budget with a Summary.
 - Councilman Cohen inquired if we could have investors in the Ice Rink and what length of lease is the City allowed to grant.
 - Councilman Skurnick asked for more data regarding the capital expenditures needed for the Ice Rink.

Public Session:

- Phil Vogel 318 Marlboro Road:
 - Asked about time frame for the City to make a decision on the Ice Rink.
 - Spoke about the repair work needed on the Cooling Tower and mentioned that the City can look into purchasing a used one. The fans were replaced this year but the tower has never received regular cleaning.
 - The roof is only 15 years old and does not leak.
 - The current operator still owes the City back rent
 - Would like a copy of the packet that is put together regarding the Ice Rink.
 - Spoke about the trimming of trees throughout the City and that the City can save money by contracting with PSE&G's tree trimmer to work for the City trimming trees while they are out there doing the work for PSE&G.
 - The City needs to put together a schedule of Street Sweeping so residents know when not to park on the streets because of cleaning.
- Jason Silverstein 202 Allison Court:
 - Member of the Recreation Advisory Committee.
 - Spoke about the Ice Rink and has fond childhood memories of the Ice Rink. Wants the rink kept open and would like to see better utilization of the facility especially year round.
 - Wants the City to provide recreation at a reasonable cost. The Recreation department needs to get more information distributed through the Schools about the available programs.
 - Runs the soccer program in Englewood and it has grown from 100 participants to 300 participants in only three (3) years.
- Sandy Greenberg 449 Liberty Road:
 - Completely concurs with everything that Mr. Silverstein spoke about especially the need to get information out to the public about programs.
- **RESOLUTION #030-01-10-12**

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:

Personnel, Litigation and Contract Negotiations

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.

(X) 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.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Agrant</i>	X	X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

ADJOURN: 11:12PM

Motion: Huttle
All in Favor

Lauren Vande Vaarst, RMC
City Clerk