

City of Englewood
City Council Work Shop
Meeting Minutes

March 6, 2012 at 7:30pm

Roll Call: Present: Council member Marc Forman
Council member Michael Cohen
Council member Eugene Skurnick
Council member Jack Drakeford
Mayor/Council President Frank Huttle III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Lynne Algrant

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 # 077-03-06-12

RESOLUTION INTRODUCING 2012 CITY BUDGET

The Local Budget of the City of Englewood, County of Bergen, for the calendar year 2012.

BE IT RESOLVED that the statement of revenue and appropriations (as included in the official Budget) shall constitute the Local Budget for the year 2012; and

BE IT FURTHER RESOLVED that the cancellation of unexpended balances of 2011 appropriations are approved and that all adjustments made to the Annual Financial Statement by the Chief Finance Officer are approved; and

BE IT FURTHER RESOLVED that said budget be published in the Record in the April 12, 2012 and a public hearing be held there on April 24, 2012, and that the City Council of the City of Englewood does hereby approve the Annual Budget for the year 2012 in the sum of \$59,945,196.12.

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

Discussion on Resolutions:

- Self-Examination of Budget :
 - Tim Dacey explained what Self-examination of the Budget means and that as of 1997 the State has allowed qualified municipalities to participate as a time saving measure in the Budget process.
 - Mayor and Council comments:
 - Councilman Skurnick asked about Item #1 a-f in this Resolution and who certifies them.
- 2011 Reserve Budget Transfers:
 - Tim Dacey explained that transferring reserves from the previous year's budget to pay that year's remaining bills is standard procedure.
 - Mayor and Council comments:
 - Councilman Skurnick asked about the excess in Solid Waste Disposal and Leaf Collection and will these amounts be lowered in the 2012 Budget.
- Emergency Temporary Appropriations:
 - Ron Amorino, CFO explained that Emergency Temporary Appropriations are needed to augment the Temporary Budget until the new Budget is Adopted. This may have to be done once or twice again before the

- 2012 Budget is adopted.
- Mayor and Council comments:
 - Councilman Skurnick inquired as to what lines items are over expended.
 - Councilman Cohen explained that is not a correct way to look at this because many items/ departments cannot be budgeted on a 1/12 basis because some are paid on a quarterly or seasonal basis.
- Resolution Recognizing "Zone" Program at Dwight Morrow HS:
 - City Clerk explained that April is Alcohol Awareness Program and the "Zone" Program is a Drug and Alcohol Awareness program at Dwight Morrow HS.
 - Recognize the children participating in this program. At the Council Workshop on April 3, 2012.
- Award of Contract for Denning Park Soccer Field:
 - Tim Dacey explained that the Bids are being open on March 20th, the day of the Council Meeting so they will receive the final resolution indicating who the contract will be awarded to at the Council Meeting that evening.
 - The work is being paid for by a Bergen County Open Space Grant with the City providing matching funds.
 - All the equipment is being replaced, new drainage system being put in, regarded and new grass planted.

Ordinances for Discussion:

- Green Team:
 - Mayor Huttle explained that there is a revised draft of the Ordinance that Mr. Bailey has prepared shifting the Green Team to be a subcommittee of the Environmental Commission.
- Revision of Fee Ordinance:
 - City Clerk explained that due to time constraints with the Pool Memberships and Summer Program Registrations this ordinance needs to be Introduced/First Reading on March 20, 2012 and have its Second Reading/Adoption on April 3, 2012. The mayor and Council concurred.
 - City Clerk went through all of the proposed changes with the Mayor and Council page by page.
 - Mayor and Council comments:
 - Councilman Skurnick suggested the Landscaper Registration Fee be raised from \$35 to \$50. The Mayor and Council concurred.
 - Also asked who is responsible for the Bergen Street Parking lot and could it be cleaned. Mr. Dacey explained that it is owned by Verizon and leased to the EEDC. Mr. Dacey said that he will have the cleaning taken care of but the City does not own the parking lot and will not repave it.
 - Feels that we need to revisit the Police Escort Fee and that it is too low.
 - Commented on the Recreation Fees and wanted to reduce some fees even further. Mr. Dacey pointed out that the Recreation Department Budget was increased by \$120,000 (15%).
 - Would like additional cuts in the Police and Fire Department Budgets.
 - Councilman Cohen commented that if you cut the Police Budget it will be officers that are cut.
 - Councilman Drakeford commented that the Mayor and Council tend to go backwards and that they do not really act.
- Traffic and Parking:
 - City Clerk reviewed the proposed ordinances regarding King Street becoming a one-way street and 15 minute parking on the west side of Grand Avenue.
 - Councilman Cohen reviewed the proposed ordinance regarding parking changes on E. Linden Avenue. He explained how the request came about and also the safety issue regarding the blind hill (incline) on the roadway.
 - These three ordinances will be placed on the March 20th Agenda for Introduction/First Reading.
- Board/Committee Absences:
 - Councilman Cohen explained this proposed ordinance and why that he is requesting it because he feels that many Boards and Committees cannot function properly due to member's absences.
 - City Clerk handed out the current City ordinance and State Statute regarding Board/ Committee vacancies to the Mayor and Council and also read them aloud for the public.
 - Councilman Drakeford feels that the proposed ordinance could cause problems especially if a vendetta is being pushed on someone.
 - The consensus is that this proposed ordinance will be revisited at a future workshop meeting.
- Code Adoption Ordinance:
 - Mayor Huttle reviewed the history of the Recodification project.
 - The City Clerk explained the timeline for the adoption of the ordinance and its going online.
- Special Assessment:
 - Bill Bailey explained that a decision was reached last week by the Special Assessment Board to adopt the recommendations of McNerney & Associates regarding the Special Assessment for the over \$9 million dollars spent on the access roadway.
 - The Special Assessment Board will sign their decision, then an ordinance will come before the governing body and all affected property owners will be properly noticed.
- Underage Drinking:
 - Bill Bailey spoke about the sample ordinance from another municipality, and explained that it prohibits underage drinking on private property.
 - Mr. Bailey will prepare an ordinance per the governing body's request or no ordinance at all if that is what they decide.

- o Mayor Huttle commented that then Freeholder Valerie Huttle took the lead on this with Bergen County Board of Chosen Freeholders.
- o The consensus is that the Mayor and Council should review the sample ordinance and forward their suggestions to Tim Dacey.

Public Session:

- Chris Gargliardi 165 West Street, Apt. D:
 - o Spoke about the Introduction of the Budget and is glad that it is on the agenda for consideration.
 - o Thanked City Clerk for her work on the codification.
 - o Requested that the Mayor and Council prepare a resolution for the next meeting honoring the life and work, advocate for inner cities and Aids in Africa, of Congressman Donald Payne who just passed away. Mayor and Council concurred and directed the City Clerk to prepare the resolution for the March 20th meeting. Councilman Drakeford requested a moment of silence in the Congressman's honor.
- Paul Shaver 240 E. Palisade Avenue:
 - o Current Englewood Public Library Employee formerly an ESL teacher.
 - o Loves the transparency of the town.
 - o Commented that the current difference in the Library Budget is 9% not 12%.
- John Babb 213 Second Street:
 - o Spoke about the Library, and asked where the money will go that is cut from the Library budget. Mr. Dacey explained that it is treated as a cut in the overall budget.
- Diane Eidman 73 E. Linden Avenue:
 - o Spoke in support of the proposed ordinance regulating parking on E. Linden Avenue.
 - o Explained that E. Linden is a through street and cars speed down it often unaware that there is a steep incline at the bottom.
- Sandy Greenberg 449 Liberty Road:
 - o Please that Chris Gargliardi spoke about Congressman Donald Payne.
 - o Feels that the Library was scared into accepting a reduction in their budget.
 - o Asked what the \$9 million dollars for the roadway was spent on. Bill Bailey explained that \$7 million dollars was spent on acquisition of property and \$2 million dollars was spent on construction of the roadway.
 - o In regard to Councilman Cohen's proposed ordinance on Board/Committee Vacancies, she feels that the Chair of each Board/Committee needs to report back to the Mayor and Council if there is a vacancy. People not showing up regularly to Planning Board meetings used to be a problem but no longer. Wants Board/Committee Alternates to attend meetings on a regular basis.
 - o If the City does adopt an Ordinance prohibiting Underage Drinking then she would like to see an exemption in it for religious events.
- Jeanne Hopewell Liberty Road:
 - o Spoke about the national issue of Post Offices being shut down and the possibility of the postal service being abolished.
 - o Handed out flyers inviting the public to come to a rally in New York City.
 - o Jobs offered by the postal service are important especially in the African American Community.
 - o Many curbside mailboxes have been removed by the postal service throughout the City.
- James Evans 341 Washington Place:
 - o Came to the meeting to thank the Mayor and Council for helping the Recreation Department by adding more money into their budget.
 - o Invited the Mayor and Council to come and watch the recreational activities such as the junior football program.
 - o Asked if the Denning Park Soccer Field will be grass or turf. Mr. Dacey said that it will be grass.

RESOLUTION #078-03-06-12

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 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.
- (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.

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

ADJOURN: 11:10PM

Motion: Huttie
All in Favor

Lauren Vande Vaarst, RMC
City Clerk