

City of Englewood
City Council Meeting Minutes
July 17, 2012

A Regular Formal Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 7:30 P.M.

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 Solicitor William Bailey
City Clerk Lauren Vande Vaarst

Absent:

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 Annual Notice of Meetings as required by the Open Public Meetings Act.

Mayor Huttle sworn in new Englewood Police Officers; Matthew Zeuner, Robert Occhiuzzi and Lothairs Porter

RESOLUTION #142-07-17-12

RESOLUTION ACCEPTING MINUTES

BE IT RESOLVED, that the following minutes be and are hereby accepted and filed:

COUNCIL WORKSHOP MEETING
June 12, 2012

COUNCIL MEETING
June 19, 2012

CLOSED SESSION
June 12, 2012
June 19, 2012

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

RESOLUTION #143-07-17-12

APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment; and

WHEREAS, all bills and claims listed herewith have been encumbered and sufficient funds are available for payment; and

WHEREAS, the required signatures have all been obtained on each voucher on the attached list.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Englewood, that the bills and claims on the submitted list are hereby approved for payment in the total amount of \$2,391,878.37.

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

Communications from the Mayor/Council Members:

Comments from the City Manager:

- PSE&G work on Dean Street is ongoing.
- The compactor for the Bergen Street Parking Lot is being delivered on July 18, 2012 and the Pay Station is on order. The lot will be repaved in August and all of the merchants will be notified.
- The pools are open daily with 336 Family members and 130 Individual members.
- Trees, benches and tables have been installed at Denning Soccer Field. The contractor will be doing extra seeding and the sprinkler system will be installed soon.
- The City Manager along with the City Engineer met with the Bergen County Engineer yesterday to discuss removing silt and dredging of Overpeck Creek.
- The Annual Sidewalk Sale is July 26, 27 and 28th. "Free Parking" bags will be placed on all of the parking meters in Downtown for this event.
- The Downtown Concert series began last Thursday and will continue through August.

ORDINANCE #12-19

AN ORDINANCE AMENDING ORDINANCE NO. 09-20 FIXING THE ANNUAL SALARIES TO BE PAID TO OFFICERS AND EMPLOYEES IN THE UNCLASSIFIED SERVICE OF THE CITY OF ENGLEWOOD AS OF JANUARY 1, 2011

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY, as follows:

Section 1. Each of the respective annual salaries (and maximum salary) of the City employees in the Unclassified Service of the City of Englewood is hereby increased by the following amounts effective as of January 1, 2011 as indicated on Schedule A.

Section 2. No fringe benefit or additional compensation or other term or condition of employment in effect as of the date of this ordinance shall be changed or affected in any way by this ordinance, and any such provision shall remain in full force and effect except to the extent that it is specifically changed by ordinance.

Section 3. The annual salaries set forth herein shall be paid on a pro rata basis to any person who shall hold any of the positions incorporated herein for less than a full year.

Section 4. The salaries set out in this ordinance shall become effective retroactively, as of the effective dates specified in Sections 1 and shall apply only to those persons in the employ of the City on the date when this ordinance becomes effective and shall remain in effect unless or until changed by subsequently adopted ordinances.

Section 5. If any sentence, section, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

Section 6. This ordinance shall take effect upon passage and publication as required by law.

SCHEDULE A

OFFICE POSITION	MAXIMUM SALARY (a) Effective 1/1/2011
ADMINISTRATION	

City Manager	\$172,200
Assistant City Manager	\$130,000
Director of Human Resources	\$ 93,350
Assistant Personnel Director	\$ 81,000
City Clerk	\$ 84,000
Transit System Manager	\$ 5,000
COAH Liaison	\$ 6,000
Downtown Manager	\$ 63,000
DIVISION OF BUILDING, HOUSING, ZONING AND CODE ASSISTANCE	
Code Enforcement Official/ Building Sub-Code Official	\$ 97,000
Building Inspector	\$ 71,600
Zoning Officer/Code Enforcement	\$ 66,000
Fire Sub-Code Official	\$ 72,800
Fire Sub-Code Inspector	\$ 30.00/hr.
Plumbing Sub-Code Official	\$ 75,800
Plumbing Sub-Code Inspector	\$ 30.00/hr.
Electrical Sub-Code Official	\$ 77,800
Electrical Sub-Code Inspector	\$ 30.00/hr.
Housing Inspector Supervisor	\$ 69,000
Housing Inspector	\$ 59,400
Regulatory Manager	\$ 60,000
FINANCE DEPARTMENT	
Chief Financial Officer	\$112,000
Data Processing Coordinator	\$ 48,700
City Treasurer/Budget Officer	\$ 85,900
Receiver of Taxes	\$ 90,100
Tax Assessor	\$103,000
Financial Analyst/Accountant	\$ 74,050
Information Technology Manager	\$ 70,000
Payroll Analyst	\$ 62,000
Purchasing Assistant	\$ 41,000
PUBLIC WORKS DEPARTMENT	
Director of Public Works	\$118,000
Manager of Operations	\$ 80,000
Supervisor Group:	
Sanitation	\$ 74,650
Buildings and Facilities	\$ 74,650
Sewer	\$ 74,650
Central Maintenance	\$ 77,000
Streets	\$ 74,650
Assistant Supervisor	\$ 63,450
Environmental Enforcement Officer	\$ 70,000
POLICE DEPARTMENT	
Police Chief	\$181,000
Deputy Police Chief	\$154,000
Prosecutor/Assistant City Solicitor	\$ 48,000
Computer Records Analyst	\$ 46,750
FIRE DEPARTMENT	
Fire Chief	\$157,000
Deputy Fire Chief	\$127,650
Fire Official (Part-time)	\$ 12,000
Fire Official (Full-time)	\$ 73,800
Fire Inspector	\$ 61,800
RECREATION DEPARTMENT	
Director of Recreation	\$ 71,000
Facilities Supervisor	\$ 52,000
Program Supervisor	\$ 40,000
MUNICIPAL COURT	
Municipal Court Judge	\$ 73,000
Municipal Court Administrator	\$ 70,300
Deputy Court Administrator	\$ 51,700
Data Entry Clerk	\$ 45,300

Violations Clerk	\$ 45,300
Violations Clerk/Bi-Lingual	\$ 45,300
Bookkeeper	\$ 45,300
OTHER (Assigned to various Departments)	
Executive Assistant	\$ 64,000
Confidential Secretary	\$ 52,000
Administrative Assistant	\$ 56,000
Administrative Clerk	\$ 39,200
Clerk Typist	\$ 39,200
Temporary Position (b)	\$ 15.00/hr.

(a) The Maximum salary does not necessarily reflect the actual salary paid to an employee. The City Manager is hereby authorized to pay less than the maximum for any position.

(b) This includes crossing guards, recreation summer employees, after school aides, as well as other temporary employees.

FIRST READING DATE: June 19, 2012

COUNCIL	MOTION	VOTE
Algrant	X	Y
Forman		Y
Skurnick		Y
Cohen		Y
Drakeford		AB

DATE PUBLISHED IN THE RECORD: June 22, 2012

DATES PUBLIC HEARINGS HELD: July 17, 2012

DATE SECOND READING HELD: July 17, 2012

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Forman		Y		Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		AB		AB		AB

Public Hearing on Ordinance #12-19: No one from the Public came forward to speak.

Mayor and Council Comments on Ordinance #12-19:

- Councilman Skurnick asked what the amount of the raises being given is.

ORDINANCE #12-20

AN ORDINANCE OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF ENGLEWOOD AND APPROPRIATING \$3,390,000 THEREFORE, AND PROVIDING FOR THE ISSUANCE OF \$3,228,540 IN BONDS OR NOTES OF THE CITY OF ENGLEWOOD TO FINANCE THE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Englewood, in the County of Bergen, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3 hereof, there are hereby appropriated the respective sums of money therein stated as the appropriations made for each improvement or purpose, such sums amounting in the aggregate to \$3,390,000 including the aggregate sum of \$161,460 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal

amount of \$3,228,540 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds or notes are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Purpose: Improvements to various City-wide facilities, including, but not limited to reconstruction of the City Library steps, acquisition and installation of a fuel station at the Department of Public Works, and design of a new City firehouse, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$968,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$921,900
<u>Period or Average Period of Usefulness:</u>	30 years
<u>Amount of Down Payment</u>	\$ 46,100

(b) Purpose: Acquisition of various equipment for City-wide departments, including, but not limited to, a generator for the Department of Public Works, an emergency generator for the City Police Department, single operator units for the City Sanitation Department, garbage cans for automated units, a loader, backhoe, Lift for Central Maintenance Department and garbage can and bench replacement, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$1,646,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$1,567,600
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 78,400

(c) Purpose: Acquisition of (i) a sign for Mackay Park, (ii) tax maps and GIS, (iii) replacement of traffic controllers and signals, (iv) signal replacements, and (v) turnout gear and air packs for the City Fire Department, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$361,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$343,805
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$ 17,195

(d) Purpose: Replacement of various computers, acquisition of 4 dump trucks and conversion of a truck to rolloff, and including all work and materials necessary therefore or incidental thereto.

<u>Appropriation and Estimated Cost:</u>	\$415,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$395,235
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$ 19,765

(e) The estimated maximum amount of bonds or notes to be issued for the several improvements or purposes is as stated in Section 2 hereof.

(f) The estimated cost of the several improvements or purposes is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the several improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of the respective amounts or obligations authorized for each improvement or purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 17.526 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,228,540 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The City reasonably expects to commence the acquisition and/or construction of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the City Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The City Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the City Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

FIRST READING DATE: June 19, 2012

COUNCIL	MOTION	VOTE
Algrant	X	Y
Forman		Y
Skurnick		N
Cohen		Y
Drakeford		AB

DATE PUBLISHED IN THE RECORD: June 22, 2012

DATES PUBLIC HEARINGS HELD: July 17, 2012

DATE SECOND READING HELD: July 17, 2012

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Forman		Y		Y		Y
Skurnick		Y		Y		N
Cohen		Y		Y		Y
Drakeford		AB		AB		AB

Public Hearing on Ordinance #12-20: No one from the Public came forward to speak.

Mayor and Council Comments on Ordinance #12-20:

- Councilman Skurnick- Does not feel that there has been sufficient discussion on the "single operator units" for DPW.

Public Comment on Agenda Items:

- Phil Vogel 318 Marlboro Road:
 - Spoke about Resolution #145 and was unhappy that it was pulled from the Agenda because he feels the future operator needs as much time as possible.
- Jeanne Hopewell 380 Liberty Road:
 - Spoke about Ordinance #12-20 and asked what the money is being used for.
 - Asked about Resolution #146 and what is being done to Walnut Street, asked why road work has not been done recently on Liberty Road, especially to put in curbing to prevent flooding. Drivers are still speeding on the road.
- Joy Williams 116 Walnut Street:
 - Has lived on lower Walnut Street for 18 years.
 - Spoke about how dangerous the street is and that it is currently down to bedrock. The previous road work on the upper portion of the street has caused water to race down the street and has eroded the lower part of the street.
 - Happy to see that the work will finally happen and thanked the Mayor and Council.
- Jennifer Rubin 130 Walnut Street:
 - Has lived on Walnut Street for 8 years and that section of the roadway is in very poor shape.
 - The sidewalks are unusable.
 - Thanked the Mayor and Council for getting this done.
- Judy Johnson 135 Walnut Street:
 - Has lived on Walnut Street for 42 years.
 - Asked if the City has any documentation on the last time any work was done on Walnut Street.
 - Hopes that the work will be done at the earliest convenience.

RESOLUTION #144-07-17-12

**AUTHORIZING AWARD OF CONTRACT FOR
ENGLEWOOD POLICE DEPARTMENT – MISCELLANEOUS IMPROVEMENTS PROJECT**

WHEREAS, sealed bids were received on July 17, 2012 for Englewood Police Department- Miscellaneous Improvements Project in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from eight (8) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by Pakis Tile Contractors, 38 Westville Avenue, Caldwell, New Jersey 07006 for the sum of \$170,900 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in the Police Department Confiscated Funds Account to award this contract.

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Pakis Tile Contractors 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 Pakis Tile Contractors for Englewood Police Department- Miscellaneous

Improvements Project in accordance with the specifications therefore.

BE IT FURTHER RESOLVED that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Police Department Confiscated Funds Account

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

Comments from the Mayor and Council on Resolution #144:

- Councilman Skurnick is fine with Alternates #1 and 2. He is not comfortable with the costs to do the work in the Dispatch Area (Base Bid), and asked if we can award only Alternates #1 and 2 and not the Base Bid. Mr. Albert explained the project and the need to rehab the Dispatch Area to make it functional for use as a Dispatch Area or an alternative use. Mr. Skurnick asked if it could be used for functions not related to Dispatch and it can be.
- Councilman Forman asked if anything would have to be undone if the Dispatch Area was used for another purpose. Mr. Albert said no other than maybe some furniture changes.

RESOLUTION #145-07-17-12 (Pulled from the Agenda to be heard at a future meeting)

**AUTHORIZING AWARD OF CONTRACT FOR
THE WRIGHT ARENA EQUIPMENT REPLACEMENT, PROJECT 111202**

RESOLUTION #146-07-17-12

**AUTHORIZING AWARD OF CONTRACT FOR
WALNUT STREET RECONSTRUCTION, PROJECT 111101**

WHEREAS, sealed bids were received on July 12, 2012 for the Walnut Street Reconstruction Project #111101 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from five (5) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by New Prince Concrete Construction Co. Inc., 215 Elleen Terrace, Hackensack, New Jersey 07601 for the sum of \$402,480.20 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract;

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by New Prince Concrete Construction Co. Inc. 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 New Prince Concrete Construction Co. Inc. for the Walnut Street Reconstruction Project #111101 in accordance with the specifications therefore.

BE IT FURTHER RESOLVED that subject to the availability of funds therefore, the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Ordinance 12-15(b)

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

Skurnick		X			
Cohen		X			
Drakeford					X

RESOLUTION #147-07-17-12

AUTHORIZING AN UNPAID LEAVE OF ABSENCE

WHEREAS, Police Officer Renee LaRaia-Peterson has requested an unpaid Leave of Absence.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, County of Bergen, State of New Jersey hereby authorizes an unpaid leave of absence for Police Officer Renee LaRaia-Peterson beginning on July 25, 2012 for sixty (60) days.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Forman		X			
Skurnick		X			
Cohen		X			
Drakeford					X

Public Session:

- Jeanne Hopewell 380 Liberty Road:
 - Asked if an agreement was reached with the Englewood Schools for the use of the bathroom and shower facilities for users of the Tryon Pool.
- Gene Skurnick 296 Marlboro Road:
 - Spoke about the Tryon Pool and that in the past there was a shower that users would walk through on the way to the pool. Can that be reconnected?
- Shirley Smith 374 W. Palisade Avenue:
 - The conditions of the road and the islands on W. Palisade Avenue are terrible and unkempt. The street sweeper came at 5AM and there is no schedule so people can move their cars. This is the last time that she will come to a Council meeting to discuss this.
 - Cars are always speeding on W. Palisade Avenue and there is no Police presence.
- Phil Vogel 318 Marlboro Road:
 - Agrees with Mrs. Smith about the lack of a street sweeping schedule. Feels that there will not be enough clearance from the overhead wires for the single operator units for DPW.
 - Asked about various job titles in Ordinance #12-19.
 - Spoke about Transit issues.
 - Feels that the YWCA is charging too much for swim lessons and the JCC is charging less. Wants the Recreation Department budget to go for programming for the kids.
- Sandy Greenberg 449 liberty Road:
 - Read a passage from a book entitled "Dear Eleanor".
 - Does not want to compromise on the type of housing on James Street. Has a photo of the preferred type of housing, and will give it to the City Clerk to distribute to the Mayor and Council.
 - Spoke about the recent death of actress Celeste Holm and her work on behalf of Arts Horizon, which brings arts programs into schools.
 - Asked if the City has a policy to use Belgian block or concrete curbing, she prefers the former.
- Wilma Skinner 21 Grant Street:
 - Spoke about a tree in the front of her home that is causing the sidewalk to buckle and can the City come look at it.
 - Asked about the flooding on Grant and Dean Streets.

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:

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>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>	X	X			
<i>Drakeford</i>					X

ADJOURN: 9:48 PM

Motion: Algrant
All in Favor

Lauren Vande Vaarst, RMC
City Clerk