

City of Englewood
City Council Work Shop
Meeting Minutes

June 11, 2013 at 7:30pm

A Workshop 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 (7:45PM)
Council member Eugene Skurnick
Council member Wayne Hamer
Mayor/Council President Frank Huttie III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Lynne Algrant

President Huttie 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.

Swearing-In Of Probationary Fire Fighters:

- Mayor Huttie swore in Joseph Hoyle Jr., Peter Lee and Nicanor Rodriguez as a Probationary Fire Fighters

Public Comment on Agenda Items:

- Curtis Caviness 41 E. Forest Avenue:
 - In regard to Resolutions #126 & 127, what is the loan repayment for? Could some of the \$85,000 listed under Advertising and Marketing in these Resolutions be used to pay for ads in the high school year book?
 - Asked why the EEDC is not paying for the bike racks to be located in the downtown in Resolution # 125.
- Sandy Greenberg 449 Liberty Road:
 - In regard to Resolutions #126 & 127, she attended the Chamber of Commerce meeting last evening and the new Executive Director is very good. Also happy with the new Library Director.
- Evelyn Silas 62 Dubois Court:
 - Spoke about the mom and Pop stores located on W. Palisade Avenue (Resolutions #126 & 127).

RESOLUTION #121-06-11-13

AUTHORIZATION TO PREPARE AND ISSUE 2013 ESTIMATED TAX BILLS

WHEREAS, the City of Englewood cannot have its overall tax rate certified until after the adoption of both the State of New Jersey fiscal budget and County of Bergen budget; and

WHEREAS, it may be necessary to issue 2013 third quarter estimated tax bills prior to the tax rate certification in order to collect tax levy receipts in a timely manner to ensure the City of Englewood can meet its financial obligations; and

WHEREAS, the City of Englewood Tax Collector and Chief Financial Officer have computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey as follows:

1. The City of Englewood Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the City for the third installment of 2013 taxes. The Tax Collector shall proceed upon approval from

UNPROGRAMED FUNDS REQUEST FY 2013

WHEREAS, a Bergen County Community Development Grant Unprogramed Funds Request FY 2013 of \$32,000 for has been proposed by Bergen Family Center for roof repairs due to severe storm damage; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

WHEREAS, the aforesaid project is in the best interest of the people of Englewood; and

WHEREAS, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #124-06-11-13

APPROVE WAIVER OF FEES FOR AMERICAN LEGION POST #58

WHEREAS, American Legion Post #58, located at 151 Forest Avenue in Englewood is being required by the Englewood Fire Prevention Bureau to repair their Fire Alarm System; and

WHEREAS, American Legion Post #58 is requesting that any Construction and Code Enforcement permit, application and/or any other applicable fees for the Fire Alarm System repairs be waived.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that any Construction and Code Enforcement permit, application and/or any other applicable fees hereby be waived in regard to the Fire Alarm System repairs for American Legion Post #58, located at 151 Forest Avenue in Englewood.

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

Resolution #125-06-11-13

**STATE CONTRACT PURCHASE OF OUTDOOR FURNITURE
FOR VARIOUS CITY OWNED PARKS**

WHEREAS, the City of Englewood has a need for the replacement of outdoor furniture in a number of city owned parks. In addition, two (2) bike racks will be installed at strategic locations along Palisade Avenue; and

WHEREAS, the City of Englewood is a participant in the State Cooperative Purchase program and intends to purchase this equipment through this program; and

WHEREAS, funds are available for this purchase from Ordinance #13-06(4) and the Chief Financial Officer has certified that sufficient funds are available to award this contract.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract for the purchase of the items on the attached list from James D. Boyce Associates Inc. located at PO Box 885, Trexlertown, PA 18087 under State Contracts T-0103 and A81420 for a total of \$18,613.

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

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

RESOLUTION #126-06-11-13

**APPROVING THE ENGLEWOOD SPECIAL IMPROVEMENT
DISTRICT BUDGET FOR FY 2013**

WHEREAS, the Englewood Special Improvement District budget for FY 2013 (July 1, 2012 - June 30, 2013) was approved by the Englewood Economic Development Corporation, the District Management Corporation, on May 7, 2013, and by the City Council on first reading on May 28, 2013; and

WHEREAS, N.J.S.A. 40:56-65 et seq requires that the budget be introduced and approved by the City Council on two readings of a resolution following a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

Section 1. The following budget for the Englewood Special Improvement District for FY 2013 is hereby approved.

Revenues

Clean Communities Grant	\$ 37,000
Parking Lot Revenue	20,000
Business License Fees	<u>250,000</u>

Total Revenues \$ 307,000

Appropriations

Clean Communities Expenses	\$ 11,000
Parking Lot Expense	14,000
Loan Repayment (NJDC)	120,000
Public Improvements and Planning	90,000
Property Maintenance and Taxes	27,000
Management and Maintenance	20,000
Advertising and Marketing	15,000
Accounting and Audit	<u>10,000</u>

Total Appropriations \$ 307,000

Section 2. The Englewood Economic Development Corporation is hereby authorized to make charges and payments for the Special Improvement District

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

RESOLUTION #127-06-11-13

**APPROVING THE ENGLEWOOD SPECIAL IMPROVEMENT
DISTRICT BUDGET FOR FY 2014**

WHEREAS, the Englewood Special Improvement District budget for FY 2014 (July 1, 2013 - June 30, 2014) was approved by the Englewood Economic Development Corporation, the District Management Corporation, on May 7, 2013, and by the City Council on first reading on May 28, 2013; and

WHEREAS, N.J.S.A. 40:56-65 et seq requires that the budget be introduced and approved by the City Council on two readings of a resolution following a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

Section 1. The following budget for the Englewood Special Improvement District for FY 2014 is hereby approved.

Revenues

Clean Communities Grant	\$ 37,000
Parking Lot Revenue	20,000
Business License Fees	<u>250,000</u>

Total Revenues \$ 307,000

Appropriations

Clean Communities Expenses	\$ 37,000
Parking Lot Expense	15,000
Loan Repayment (NJDC)	100,000
Management and Maintenance	60,000
Advertising and Marketing	85,000
Accounting and Audit	<u>10,000</u>

Total Appropriations \$ 307,000

Section 2. The Englewood Economic Development Corporation is hereby authorized to make charges and payments for the Special Improvement District

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

Mayor and Council Comments on Resolutions #126 and 127:

- Adam Brown, Chair of the EEDC presented the Budgets for FY 2013 and FY 2014. Explained that the EEDC was formed in 1986 and recently split from the Chamber of Commerce. Commented that they just had Richard Danoff do a presentation at tonight's EEDC meeting on laying out a Master Plan for the organization to follow and that will coordinate with the City's Master Plan. Key points will be:
 - o Improve security in the Downtown.
 - o Perception of security in the parking garage in the evenings.
 - o Signage, especially for the parking garage.
 - o Relighting the Downtown.
 - o Improve internet access (high speed) for the businesses and provide wifi for the customers.
 - o Increase emphasis on personal service and experiences for shoppers.
- EEDC Budget focuses on Downtown security, technology, historic and cultural elements, and sign and façade upgrades on W. Palisade Avenue.
- Councilman Skurnick asked who will run the July Sidewalk Sale and he feels that it has deteriorated over the past 5 years and has become more of a flea market type event. The merchants participating are not the Downtown merchants.
- Mr. Dacey has met with the new Chamber of Commerce President and Executive Director, and would like to continue quarterly meetings with the to get feedback from the merchants.
- Councilman Cohen spoke about store vacancies and how have things changed since the height of the recession. Will the Chamber and the EEDC work to fill vacancies. Adam Brown commented that national chain stores have pulled out of downtowns after a 10 year long experiment. Has a summer intern who has walked the downtown and is compiling a complete list of stores and vacancies so that the EEDC can put together a baseline master list.
- Councilman Hamer asked Mr. Brown to explain the difference between what the EEDC does and what the Chamber of Commerce does. Mr. Brown explained that cities can have both and that the EEDC is a function of the City and serves as an economic engine while the Chamber of Commerce is a private entity and not part of City government whose mission is to promote their members' businesses.
- Councilman Hamer stated that he feels that energy is lacking on W. Palisade Avenue and wants the EEDC to focus on that. Also mentioned the lack of jobs for the youth and can the EEDC assist with that as well.
- Mayor Huttel announced that the Master Plan process will wrap up in September when everyone is back from summer vacation.
- Adam Brown explained that the EEDC budget is funded by the property owners within the Special Improvement District and not through residents' property taxes.

Resolutions for Discussion:

- Authorize the Cancellation of Small Fees & Charges Balances
- Authorizing Award of Contract for Construction of Concrete Pads and Installation of Outdoor Furniture at Various City Owned Parks
- Authorizing Award of Contract for the Purchase of Three (3) Automated Side Loading Sanitation Trucks - Chassis And Body, Contract No. 1
- Authorizing Award of Contract for the Purchase of Three (3) Automated Side Loading Sanitation Trucks - Chassis And Body, Contract No. 2
 - o Councilman Skurnick asked if these resolutions are for the initial purchase of the one manned sanitation trucks. He would like more information on how these will work in the 3rd Ward and he does not feel they will work well because of vehicles parked on the streets. Feels more education on these trucks is needed.

- Councilman Cohen commented that there was a demonstration down at DPW last year and that Councilwoman Algrant took the video to send it out to those who were unable to attend. Does not feel it is practical to pick up garbage in half of the City with the one-manned trucks and the other half with the old trucks. Stated that these trucks are used in Chicago and have been successful.
- Councilman Forman inquired if there was a discussion that the trucks would not be feasible in certain areas of the City.
- Mr. Dacey commented that there are currently five (5) sanitation workers that are injured and they may be out for a month or more. The one-manned sanitation trucks will be phased in and started with only a few routes. The project will grow as the DPW becomes used to it. These trucks will reduce Workman's Compensation costs and reduce rate of injuries. Overall he feels that converting to these trucks will allow the City to reduce costs and provide better service.
- Councilman Hamer is concerned with this also and with leaf pick up. Understands that this is a massive change for DPW and has reservations but would like more education and information before he makes a decision.
- Councilman Skurnick would like a written cost and benefit analysis, what are the savings. He feels that written documentation is needed before the Council can vote on this.
- Mr. Dacey spoke about reallocating workers within DPW to do other things such as park maintenance, leaf pick up and building maintenance.
- Councilman Cohen said that the Council had received written documentation from companies regarding these trucks and that he had come upon his the other day. Feels that this is the wave of the future and will reduce costs and improve service to the residents.
- Mayor Huttel asked that a cost analysis be provided to Councilman Skurnick and that Mr. Dacey could take Council members Skurnick and Hamer to other towns to see these trucks in action. Does not foresee a cost savings in labor because the labor will be reallocated to other areas where it is needed so that the City can shine.
- Councilman Skurnick suggested buying only one (1) truck to test around the City. Mr. Dacey explained that this was not feasible because special garbage cans are required and you cannot move the garbage cans all around the City. Mr. Dacey does not expect the trucks to become functional until the Spring of 2014 because they have to be ordered and then the DPW workers have to be trained.
- Councilman Forman explained that there are all different versions of these trucks and arms available nowadays.
- Councilman Hamer has seen these trucks in action but still has concerns regarding narrow streets.
- Authorizing Award of Contract for the Emergency Repairs to the Englewood Public Library Steps:
 - Ken Albert, City Engineer explained that this is not a costly repair because the foundation and underlying base can be saved, the stairs will be repaired and the coating replaced. There is money in the Capitol Budget for this project.
 - Councilman Hamer asked how long the work will take to complete and what impact will it have on Library programs. Mr. Albert stated that the work should take approximately 20 days depending on the weather and should have no impact on the day-to-day programs but will affect the outdoor concerts.
- Authorizing Award of Contract for the Purchase of Three (3) Multi-Space Pay Stations:
 - Mr. Dacey explained that there would be a pay station located on each of the 3 floors of the parking garage and will allow the Dean Street entrance to be utilized. They should be installed in August and manpower will be reallocated from money collection to security in the garage.
- A Resolution Supporting PSE&G's Energy Strong Program
- Award Professional Services Contract to Millennium Strategies to Provide Grant Research and Writing Services for The City of Englewood:
 - Mr. Dacey commented that the City is deficient in regard to applying for grant funds, and that EVAC and the Fire Department are both in need of new equipment. Recommending that we try this firm for one year and see how it goes.
 - Councilman Cohen likes the concept but wants the firm's work reviewed at the 6 month mark. He also commented that their fee is low and firms usually charge \$4,000 to \$5,000 per month. Mr. Dacey explained that he had talked them down to \$3,000 per month.
 - Councilman Hamer asked who they will work for. Mr. Dacey explained they will work for the City, Library and EVAC.
 - Councilman Skurnick asked what their quota will be. Mr. Dacey said that he will meet with them on a monthly basis to review their progress and what grants are available to apply for, and will also have the Resolution revised to include a review at six months and other changes that were suggested. Mr. Dacey did say that the City will be applying for the Congressional Fire Safety grant.
- Honoring Teen Leads on their Efforts to Reduce At-Risk Behaviors and Encourage Recycling
- Honoring Teen Leads on its R.I.D.D.L.E. Initiative
- A Resolution for the City of Englewood to Support and Participate in the Volunteer Tuition Credit Program
- Authorizing Award of Contract for 9/11 Memorial Project Number 111316 Contract 1: Site Work
- Authorizing Award of Contract for 9/11 Memorial Project Number 111316 Contract 2: Granite Installation
 - Mr. Dacey will have the drawing of the memorial included in the weekly update as per request made by Councilman Skurnick.

Ordinances:

- Generator Ordinance:

- Ken Albert, City Engineer reviewed this Ordinance. He explained that this is collaborative effort between the Engineering and Code Enforcement departments. This ordinance is a little more permissible in order to assist the property owners who want to install these standby generators.
- Set back and screening requirements are included in the draft ordinance. Mayor Huttie inquired about corner lots and Mr. Albert explained that they have different setbacks.
- Councilman Hamer asked about noise reduction, and Mr. Albert explained that screening will help with that and the standby generators are not as loud as the temporary emergency generators.

Items for Discussion:

- Genesee Avenue/Lafayette Place Garden:
 - Tim Dacey explained that the DPW has put down as much new topsoil as they could because of the rain. Mr. Dacey mentioned that rocks were placed by the entrance and is not sure where they came from. He would like to see a Community Garden group established to work with on this.
 - Lucy Walker and Norman Gainey:
 - Ms. Walker explained that the rocks are actually the sidewalk that was removed and could the DPW please move them.
 - Mr. Gainey is a Master Gardner and has been gardening at this location for the past 6 years. Explained that the topsoil must be replaced.
 - Ms. Walker commented that the garden needs a 1 ½ of topsoil and has to be turned over. Work cannot occur until garden has dried up from the rain. The volunteers will put in a small wall so that the topsoil does not run off in a rain storm.
 - Mayor Huttie would like children involved in this project as well.
 - Ms. Walker would like a Resolution designating this site as an historic site in order to protect it for the future, and would like a plaque indicating its historic status placed there as well.
 - Mr. Dacey would like to meet this Wednesday or Thursday at the garden with community members, Ken Albert and Clyde Sweatt. Everyone agreed to 2pm this Thursday June 13th.
 - Councilman Hamer has volunteered to be the council liaison to a Community Garden group.
 - Councilman Skurnick feels that this Community Garden group needs to be properly established with a name, nonprofit status in order to be official.
 - Ms. Walker said that they already have a group established and asked if Mr. Bailey could handle the incorporation.

Public Session:

- Curtis Caviness 41 E. Forest Avenue:
 - Would like the garden protected and asked that Councilman Hamer help create an actual Historical Commission in the City.
 - Thinks that the new DPW Director should be hired before the new sanitation trucks are purchased. City does not plan things well.
 - Asked how the Library steps fell into such disrepair.
 - Stated that the multispace pay stations for the garage seem like they will be an attractive nuisance.
 - Grant writing should be included in the job description of the CFO, City Manager, or Engineer.
 - Generator permits should be required along with limits for decibel levels.
- Adrian Greenridge 107 Elmore Avenue:
 - Gave a petition signed by the residents of Elmore Avenue to the Mayor and Council regarding parking.
 - Stated that a new ordinance put in place a few years ago was hurting residents because they cannot park on the west side of the street. Becomes a safety issue when residents have to park 2-3 blocks away.
 - Residents had gone to last night's Traffic Advisory Committee meeting to discuss this issue and felt that the committee did not give them good reasons for not being allowed to park on the west side.
 - Mr. Dacey and Councilman Cohen suggested that he speak with Sgt. Greeley.
- Evelyn Silas 62 Dubois Court:
 - Thanked Mr. Dacey for allowing the community center to be located at the Liberty School.
 - She is a member of the Englewood Community Outreach group, and she asked if there is a grant that can help her group get started. The City can help her group by allowing them to use space at the Liberty School for free and advertising their events but instructors will have to be paid by them.
 - Lives in an apartment complex and they cannot have their own generators, can the City arrange for their power to be turned on first in the event of a power outage.
 - City needs to have an emergency plan in place.
- Michael Ratzker 360 Mountain Road:
 - Spoke about the Ice Arena being the gem of the community and has been using it with his family since 1997. Has photos showing the diversity of the users of the ice arena.

- Sandy Greenberg 449 Liberty Road:
 - Complained that the Developer of James Street has four bedrooms listed on the signs and that is not what was agreed to.
 - Spoke about the EEDC and the signage study.
 - Concerned that the Library steps have been broken for a long time.
- Desmond Dawkins 104 Elmore Avenue:
 - Spoke about having purchased a building at Wides Corner and would like a 15 minute parking zone there for the businesses.
- Adrian Greenridge 107 Elmore Avenue:
 - Would like the City to trim the trees in the park that back up to his property.
- Lucy Walker 363 Washington Place:
 - Spoke about James Street being an historic district and feels that the City needs to have a plan to preserve historic areas.

RESOLUTION #128-06-11-13

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

ADJOURN: 11:09 PM

Motion:Hamer

All in Favor

Lauren Vande Vaarst, RMC
City Clerk