

**City of Englewood**  
**City Council Work Shop**  
**Meeting Minutes**

**September 17, 2013 at 7:30pm**

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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  
Council member Eugene Skurnick  
Council member Wayne Hamer  
Council member Lynne Algrant  
Mayor/Council President Frank Huttle III (9:00pm)  
City Attorney William Bailey  
City Manager Timothy Dacey  
City Clerk Lauren Vande Vaarst

President Pro Tem Algrant 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.

Presentation:

Power Point Presentation- Palisade Avenue Security Surveillance Camera System  
Asher Forst, Business Systems Unlimited and Police Chief Arthur O'Keefe

- Mayor & Council comments:
  - Councilman Skurnick asked why Palisade Avenue and why not Mackay Park, Depot Square or Wides Corner. Also asked if the system will include facial recognition and license plate readers. Chief O'Keefe explained that you have to start in a centralized and condensed location and spread out from there. Since 50,000 to 60,000 cars travel on Palisade Avenue per day he chose that location which should make merchants and shoppers feel safer. Englewood would be the first in Bergen County to have this system and the \$300,000 cost will be paid for with seized funds. This system will allow the Englewood Police Department to maximize efficiencies. The system will have license plate readers but no facial recognition software.
  - Councilman Cohen asked about increased liability if the City installs this camera system. Chief O'Keefe explained that this would be the EPD's system only and increased liability is not an issue. This system would also allow the Englewood Police and Fire Departments to take a closer look in the event of an emergent situation. Bill Bailey, City Solicitor, commented that he does not think that the City would be taking on increased liability with the camera system.
  - Chief O'Keefe commented that PSE&G is excited about the camera system and Councilwoman Algrant asked why. The Chief clarified that it will help them cut down on vandalism to their equipment and better identify vehicle accidents in regard to their poles.
  - Councilman Cohen asked how long images will be stored. The Chief said 60-90 days. Also asked if the City will be posting signs letting people know about the cameras, and the Chief confirmed that we will. Will the camera system be used for traffic enforcement? The Chief said that it will not and will be used to aid the Detective Bureau.
  - Councilwoman Algrant asked if the City will have the server capacity and Mr. Forst explained that it will.
  - Councilman Hamer likes the idea of having the cameras in a centralized location but does have privacy concerns. The Chief reiterated that all the cameras would be fixed and looking downward, located at all the intersections and midblock between Grand/Engle to the Monument. Would the system ever become citywide? The Chief would like to see its effectiveness first and then it would come before the Council to decide on expansion.
  - Councilwoman Algrant questioned what was meant by the comment "shaping crime" in an earlier. The Chief explained that the cameras would be a deterrent to crime and push crime into other areas. Councilwoman Algrant said that this was not a good selling point and does not want to see crime pushed to areas like Mackay Park. The Chief explained the misunderstanding that the cameras would help deter crime and reduce it. Cameras would not be monitored all the time then the cameras are really used as a deterrent to crime and as an investigatory tool and not to prevent crime. Asked what the next steps would be; Award Contract to Vendor by Resolution, do any ordinances have to be changed to allow this (Mr. Bailey confirmed that they do not), and work out an agreement with PSE&G for the use of their poles to place the cameras on.
  - Councilman Forman asked why we are not including facial recognition software at this time. Mr. Forst explained that the software is currently not perfected and would require tremendous server capacity and a facial recognition database that the City does not have. Councilman Forman also asked if the cameras would have the capability to follow someone around, Mr. Forst restated that the cameras will be fixed only.

Public Comment on Agenda Items:

No one from the public came forward to speak

RESOLUTION #177-09-17-13

**AUTHORIZING AWARD OF CONTRACT FOR  
WRIGHT ARENA ROOF REPLACEMENT, PROJECT NO. 111238**

**WHEREAS**, sealed bids were received on September 12, 2013 for the Wright Arena Roof Replacement, Project No. 111238 in accordance with specifications therefore and following public advertisement; and

**WHEREAS**, specifications were sent and responsible bids were received from twelve (12) bidders listed on the attached Bid Summary Sheet; and

**WHEREAS**, the bid submitted by Integrity Roofing, Inc., 1385 Witherspoon Street, Rahway, New Jersey 07065 for the sum of \$386,000 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 Integrity Roofing, 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 Integrity Roofing, Inc., for the Wright Arena Roof Replacement, Project No. 111238 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 13-11A

<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>Hamer</i>		X			

RESOLUTION #178-09-17-13

**AUTHORIZE REJECTION OF BIDS FOR WRIGHT ARENA FLOORING REPLACEMENT, PROJECT NO. 111332**

**WHEREAS**, sealed bids were received on September 12, 2013, for the Wright Arena Flooring Replacement, Project No. 111332 in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

**WHEREAS**, one (1) vendor's bid was properly received and opened, but the amount of the bid exceeded the budgeted amount for the project; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the bid received for the Wright Arena Flooring Replacement, Project No. 111332 be rejected and that the Wright Arena Flooring Replacement, Project No. 111332 be rebid in accordance with specifications therefore and following public advertisement thereof pursuant to law.

<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>Hamer</i>		X			

Resolutions for Discussion:

- Extension of Contract to Provide EMS Services:
  - Councilman Skurnick asked if EVAC will still be handling the weekends. Mr. Dacey explained that nothing will change from what is currently being done except that it will be extended for two (2) more years.
- Extension of Professional Services Contract with Business Systems Unlimited for Information Technology Services:
  - Mr. Dacey explained that the original contract did not include the purchase of hardware just service.
  - Councilman Skurnick asked if the outside cameras at the EPD are part of the earlier presentation. Mr. Dacey explained that they are not but are part of the recent renovations at the police department.
  - Councilwoman Algrant asked why we are purchasing through the vendor. Mr. Dacey explained that the vendor gets big discounts and has been able to get better pricing than State Contract so he purchased the hardware we are reimbursing as per the attached breakdown.
  - Councilman Forman asked if price comparisons were done and Mr. Dacey said yes and the prices were better than GSA and State Contract.
- Certifying Review of Annual Audit by Governing Body:
  - Mr. Dacey stated that the Auditor will be at the council meeting on September 24<sup>th</sup> to present the 2012 Audit.
  - Councilman Skurnick spoke about expenditures being made without approval of the Council (consultant for John T. Wright Task Force, ice arena consultant and Liberty school expenses). Wants Council kept abreast of all substantial (over \$10,000) expenditures.
- Extension of Contract to Provide Pool Management Services:
  - Mr. Dacey explained that he held an end of the year meeting with the YWCA and that asked if the contract could be extended for an additional two (2) years. He feels that the pools were well managed this summer.
  - Councilwoman Algrant asked about the emptying of the pool water into Overpeck Creek.
  - Mr. Dacey explained that NJDEP was fine with it and the City needs to apply for a permit each year to do this.
  - Councilman Skurnick if people taking swim lessons from the YWCA received pool passes. Mr. Dacey explained that they do not but as a trade off Englewood children get scholarships for lessons.
  - Councilman Hamer asked if there needs to be a waiting period between the closing of the pools and emptying them. Also heard that the pool chemicals are not being handled correctly. Ken Albert explained that chlorine dissipates very quickly and waiting 3-4 days is a good idea.
  - Mr. Dacey explained that we hire a company to open and close the pools every year.
  - Councilman Forman asked if the City had ever given any thought to installing a salt filtration system in the pools.
- Establishing a New Petty Cash Fund
- Resolution Opposing United Water Rate Increase
- Authorize Interlocal Mutual Aid Health Services Agreement between the Communities of Englewood and Bergenfield for Public Health Preparedness and Response to Public Health Threats and Emergencies:
  - Updating of an existing agreement because of new governing bodies in both municipalities.
- Authorizing Award of Contract for Overpeck Creek Channel Wall Reconstruction, Project Number 111219:
  - Councilman Skurnick asked when the project will begin. Mr. Albert said it is a very large project which will be done in sections and take about 260 days to complete.
- Refund Due to Tax Overpayment:
  - Councilman Hamer wanted to understand the difference between this resolution and the "Refunds Due to Tax Appeals". Mr. Dacey explained that the resident overpaid and is due a refund.
- Refunds Due to State Tax Appeals:
  - Councilman Skurnick requested a summary of the tax appeals for the State, County and City.
- Requesting Permission for the Dedication By Rider for Outside Employment of Off-Duty City Officers as Per N.S.J.A. 40A:4-39:
  - Mr. Dacey explained that these next two (2) resolutions are housekeeping items requested by the auditor. This pertains to off-duty police working at PSE&G sites, because the City pays the officers and is then reimbursed by the utility company.
- Requesting Permission for the Dedication By Rider for Charitable Causes Pursuant To N.J.S.A. 40A:5-29:
  - Again a housekeeping item requested by the auditor so there is a mechanism to accept donations that people may make to police and/or fire department, recreation etc.
- Dedication of the City of Englewood's 9/11 Memorial:
  - A resolution should be ready for the meeting on the 24<sup>th</sup>.

ORDINANCE #13-13

**AN ORDINANCE AMENDING ORDINANCE NO. 12-10 ESTABLISHING FEES FOR LICENSES, PERMITS AND OTHER APPLICATIONS WITHIN THE CITY OF ENGLEWOOD**

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

Section 1. The following fees of licenses, permits, and other applications within the City of Englewood, as amended by Ordinance 12-10, are hereby amended as set forth on Schedule A, annexed hereto and made part hereof.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. 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 4. This ordinance shall take effect immediately upon passage and publication as required by law.

**SCHEDULE A**

DESCRIPTION	FEE
<b>RECREATION FACILITIES/ PROGRAMS</b>	
SunFun Day Camp	\$170 Residents per week \$255 Non-Residents per week
SunFun Day Camp – Late Fee	Residents Full Weekly Rate of \$170 + \$50 Non-Residents Full weekly rate of \$255 + \$50
Travel Baseball	\$125 per season
Tackle Football	\$120 per season
Impact Baseline Test Fee	\$12 per season
Track	\$45 per season
Tennis	\$45 per season
Cheerleading	\$10 per season
Spring/Fall Soccer - Travel	\$90 per season
Spring Soccer – Training	\$60 per season
Indoor Soccer	\$65 per season
Park Permit	\$50 per 2 hours
Senior Happenings	\$35 per person annually
<b>Municipal Swimming Pool</b>	
Membership per person	\$30 per individual per season \$100 annually per immediate family with one (1) guest pass per season
Persons age 60yrs or older	\$5 per individual per season
Daily admission non-members	\$10 weekdays (per day per season) \$15 weekends (per day per season)
Pool Group/ Camp Rates	\$10 weekdays only (per person per day)
<b>Proposed Fees for New Programs</b>	
Archery	\$45 per 8 week session
Food Art	\$95 per 8 week session
Band	\$100 per 8 week session
Vocals	\$100 per 8 week session
Drum Corp	\$100 per 8 week session
Piano	\$120 per 8 week session
Super Hero Training	\$100 per 8 week session
Guitar	\$120 per 8 week session
Team Building	\$99 per 8 week session
Drawing	\$160 per 8 week session
Ceramics	\$130 per 8 week session
Basketball Skills Trainer	\$120 per 8 week session
Basketball Clinics	\$160 per 8 week session
Etiquette Class	\$100 per 8 week session
Toddler Time	\$96 per 8 week session
Basketball Team	\$100 per season (varies from 7-12 weeks)
Violin	\$120 per 8 week session
Kids Yoga	\$120 per 8 week session
Youth Boot Camp	\$120 per 8 week session
Teen Spin	\$120 per 8 week session
Men in Motion Dance	\$100 per 8 week per session
Boxing	\$80 per 8 week session
Hip Hop Dance	\$55 per 8 week session

**Please Note:**

- Englewood Residents that are eligible for the Reduced or Free Lunch Program will qualify for a 40% discount on Englewood Recreation’s Football, Track & Field, Basketball and Soccer program fees. Proper documentation of eligibility must be provided at registration.
- Englewood Residents with multiple children who do not qualify for the Reduced or Free Lunch Program will receive a 15% discount on Englewood Recreation’s Football, Track & Field, and Soccer program fees.

- Additional programs are subject to fees set by the Instructor/Organization. These programs are not eligible for reduced fees unless the discounts are set by the Instructor/Organization.
- All recreation fees are governed by the sliding fees schedule used by the Englewood Board of Education Reduced or Free Lunch Program.
- The Sun Fun Day Camp discounted rate of \$140 per week per child is available for those Englewood Residents with multiple children who do not qualify for the Reduced or Free Lunch Program.
- Non-resident fees equal the Cost of the Program + Half of the Program Cost.
- Replacement swim membership cards must be purchased at full price. (\$30 individual/\$5 senior)
- Recreation Department policy:
  - Processing Fee \$10 per transaction
  - Late Registration Fee \$10.00 per transaction

**Englewood Recreation Department Refund Policy:**

- All refund requests must be sent directly to the Englewood Recreation Department at least one week prior to the start date of the program.
- A \$10.00 processing fee will be charged for all refunds.
- No refunds will be issued after the start of a program except for one of the following reasons:
  - The program is cancelled by the Englewood Recreation Department.
  - The request is accompanied by a written medical excuse from a Physician.
- There will be absolutely no refunds and/or transfer of funds after a program has ended.
- Any exception to the Englewood Recreation Department Refund Policy is only at the discretion of the instructor and/or the Recreation Director.

FIRST READING DATE: August 27, 2013

COUNCIL	MOTION	VOTE
Algrant	X	Y
Forman		Y
Skurnick		Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: August 30, 2013

DATES PUBLIC HEARINGS HELD: September 17, 2013

DATE SECOND READING HELD: September 17, 2013

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman	X	Y	X	Y		Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

Public Hearing on Ordinance #13-13:

- Phil Vogel 318 Marlboro Road:
  - Asked about Etiquette Class fees.
- Curtis Caviness 41 E. Forest Avenue:
  - Where will the programs be housed because he heard that the Board of Education turned down the City's request to use the facilities after school? Councilwoman Algrant explained that a deal has been worked out and programs will be taking place at various schools. The BOE does send the City a bill for the use of their facilities but the City is not expected to pay it and it is forgiven. He feels that this further emphasizes the City's need for a Community Center.
- Alva Jones 87 Dubois Court:
  - Questioned who set the program fees.

#### Ordinances for Discussion:

- Amend Time Limited Parking on Chester Place (North side):
  - This ordinance will be placed on the September 24<sup>th</sup> agenda for Introduction/First Reading.

#### Items for Discussion:

- Operation Management Plan for the John T. Wright Arena:
  - Councilman Cohen spoke about an email he received today from an individual who wants to operate the arena. Asked if we have a process for finding an operator.
  - Councilman Forman said that we should put out a RFP that should include what the Council is looking for at the arena; more programs and not a lot of capital funds expended by the City.
  - Mayor Huttle apologized for being late to the meeting but he had an emergency. Spoke about the need for a plan to open and operate the arena.
  - Councilman Skurnick does not feel that a complicated process such as a RFP should take place for this year. Wants to get the facility open and operating as quickly as possible for the upcoming winter.
  - Councilwoman Algrant asked why we cannot have a plan to include this year and extend beyond.
  - Councilman Skurnick does not think that you can put together a short term plan while you work on a long term plan.
  - Councilwoman Algrant spoke about all the work the Recreation Department does finding instructors, checking them out and getting the programs in place. There needs to be a budget in place for the arena.
  - Council Forman spoke about hiring an operator and he wants more financial information before the City moves forward.
  - Mayor Huttle spoke about the Council's inappropriate behavior which is in violation of the Resolution setting Meeting Guidelines that was adopted by this Council. Said that there is no money in the current budget for spending on anything for the arena. The City needs a plan in order to hire an operator. Asked Mr. Dacey when the roof work will be completed (end of November) and do we know how much it will cost to open the arena (no we do not). The Council needs to identify a plan and spend the money.
  - Councilman Cohen agrees with Ms. Algrant that we can compile a short term and long term plan at the same time. Wants to hear what the RFP process is that the Council will use to put a plan together, not detailed at this point, for the long term. For the short term he does think that the City needs a symbolic opening of the arena for this year to prove that we are committed to getting it opened and operating.
  - Councilman Skurnick proposes that we start the meeting on September 24<sup>th</sup> at 6:30PM and devote an hour to having a real discussion on how to open and run the arena in the short term. Still feels that a long term plan can be put off. He will present a cost statement as to what the financials will be to open and run the arena for the 2013-2014 season.
  - Councilman Forman asked if Ken Albert can give us an estimate of when the arena will open. Mr. Albert said that Mr. Dacey's estimate of December 1, 2013 is accurate.
  - Mr. Dacey spoke about associated costs and further decisions that have to be made such as what to do with the snack bar.
  - Councilman Hamer spoke about reaching out to those with knowledge and expertise on how to run an arena to assist with putting together a long term plan.
  - Councilman Forman asked if we can get ice down by December 1<sup>st</sup>. Mr. Albert feels that Mr. Dacey can make it happen if everything is in working order. Mr. Albert suggested that the Mayor and Council direct Mr. Dacey to get the arena open and operating by December 1<sup>st</sup>.
  - Councilwoman Algrant would like a rough outline of the arena financials for next Tuesday. Mr. Forman asked the City Manager if that was possible and he said that he will do his best to put something together.
  - Councilman Skurnick said to open the arena in a cost effective manner. Will have his people contact Mr. Dacey to give him prices to turn on the refrigeration system and make ice. Does not feel that the City has to appease the JIF.
  - Mr. Bailey explained that the JIF is important and we have to sure defects at the arena in order to bring it into compliance so the JIF will continue to insure the facility.
  - Mr. Dacey spoke about Phil Vogel, who volunteered, to get the scoreboard and sound system back up and running once a roof is on the facility.
  - Councilman Forman thinks that next Tuesday is too soon to get the arena information together.
  - Councilwoman Algrant would like the Council to go through the old RFP and update it for the long term at the meeting of October 8<sup>th</sup>. Would like to see a Special Meeting on the arena held in the next 10 days.

#### Public Session:

- Phil Vogel 318 Marlboro Road:
  - Spoke about the draining of the pool water and that it should be done after the chlorine dissipates.
  - Cameras on Palisade Avenue are evil and a bad idea.
  - Arena has to be open soon or it will never open. Spoke about the roofing bid and the refrigeration system start up and shut down.
- Lucy Walker 363 Washington Place:
  - What department is the arena under? Mr. Dacey explained that it had been under a private operator but would now be under the Recreation Department.
  - Thinks that Mr. Dacey should be given the trust to hire an operator and/or put together a RFP. Wants the arena operator to be a nonprofit not a for profit entity.

- Agrees with Mr. Vogel that the cameras on Palisade Avenue are a bad idea.
  - Said that NJDEP wants the water to sit for 7-10 days after it has been chlorinated so the chlorine can dissipate, then be tested again before emptying the pool. The way the pool is emptied also causes soil erosion.
- Curtis Caviness 41 E. Forest Avenue:
  - Spoke about the camera system and the IT contract.
  - Does not understand why the City has a Pool Management contract and also someone to open and close the pools each season.
  - If there is a report from NJDEP regarding the pool water then he would like a copy of it.
  - Feels that the siding on the arena encloses it and is in violation of Green Acres rules and regulations.
- Elisha Gurfein 156 Sherwood Place:
  - Commented on the insert in the 4<sup>th</sup> quarter tax bill.
- Shirley Smith 374 W. Palisade Avenue:
  - Wants more of a police presence instead of cameras.
  - Does not feel that residents are getting the services they are paying for.
- Theresa Thomas 279 Genesee Avenue:
  - The City has five (5) police cars equipped with cameras and ALPR that are not being used because the EPD only responds to calls and does not patrol. Wants increased visibility by police.
  - Spoke about the negative public relations that may be garnered by Englewood implying that our Downtown is unsafe and that we have to install cameras.
- Phil Vogel 318 Marlboro Road:
  - Showed a photo of the Ice House to the Mayor and Council.

**ADJOURN: 10:25 PM**

Motion: Skurnick

All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk