

City of Englewood
City Council Meeting Minutes
March 18, 2014

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 Wayne Hamer
Council President Lynne Algrant
Mayor Frank Huttle III
City Attorney William Bailey
City Manager Timothy Dacey
City Clerk Lauren Vande Vaarst

President 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.

PRESENTATIONS

- Police Department Promotions
- PBA Local No. 216 Presentation of Donation to T&T Initiative Inc.

RESOLUTION #084-03-18-14

APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment as well as a consolidated list of prepaid items. The prepaid items include emergency payments, wire transfers and regularly scheduled monthly payments that are paid between bill and claims list dates; 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 lists are hereby approved for payment in the total amount of \$5,951,278.83.

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

Communications from the Mayor/Council Member

Comments from the City Manager:

- Reviewed successful Bond Sale; 18 year bought by UBS at 3.05% tax free and 15 year bought by BMO at 1.35% taxable.

RESOLUTION #085-03-18-14

RESOLUTION INTRODUCING 2014 CITY BUDGET

The Local Budget of the City of Englewood, County of Bergen, for the calendar year 2014.

BE IT RESOLVED that the statement of revenue and appropriations (as included in the official Budget) shall constitute

the Local Budget for the year 2014; and

BE IT FURTHER RESOLVED that the cancellation of unexpended balances of 2013 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 on April 14, 2014 and a public hearing be held there on April 29, 2014, and that the City Council of the City of Englewood does hereby approve the Annual Budget for the year 2014 in the sum of \$60,368,933.

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			

ORDINANCE #14-07

AN ORDINANCE FIXING SALARIES OF THE FIRE FIGHTERS OF THE FIRE DEPARTMENT OF THE CITY OF ENGLEWOOD EFFECTIVE FOR THE YEARS 2014, 2015, 2016 AND 2017

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

Section 1. The annual base salaries for those Members of the Fire Department of the City of Englewood hereinafter listed shall be as follows, effective as of the years and dates indicated below:

	Hired before January 1, 2005			
	NEW CONTRACT			
	1.80%	1.60%	1.80%	1.60%
	1/1/2014	1/1/2015	1/1/2016	1/1/2017
Firefighter 1	\$40,704.73	\$41,356.01	\$42,100.41	\$42,774.02
Firefighter 2	\$49,652.95	\$50,447.40	\$51,355.45	\$52,177.14
Firefighter 3	\$63,033.54	\$64,042.08	\$65,194.84	\$66,237.95
Firefighter 4	\$76,407.01	\$77,629.52	\$79,026.85	\$80,291.28
Firefighter 5	\$89,780.47	\$91,216.96	\$92,858.87	\$94,344.61
Firefighter 6	\$103,154.96	\$104,805.44	\$106,691.94	\$108,399.01
Mechanic	\$107,129.23	\$108,843.30	\$110,802.48	\$112,575.32

	Hired after January 1, 2005			
	NEW CONTRACT			
	1.80%	1.60%	1.80%	1.60%
	1/1/2014	1/1/2015	1/1/2016	1/1/2017
Firefighter 1	\$40,704.73	\$41,356.01	\$42,100.41	\$42,774.02
Firefighter 2	\$47,007.17	\$47,759.28	\$48,618.95	\$49,396.85
Firefighter 3	\$56,365.64	\$57,267.49	\$58,298.31	\$59,231.08
Firefighter 4	\$65,723.10	\$66,774.67	\$67,976.61	\$69,064.24
Firefighter 5	\$75,081.57	\$76,282.88	\$77,655.97	\$78,898.46
Firefighter 6	\$84,439.03	\$85,790.05	\$87,334.27	\$88,731.62

Firefighter 7	\$93,797.50	\$95,298.26	\$97,013.63	\$98,565.85
Firefighter 8	\$103,154.96	\$104,805.44	\$106,691.94	\$108,399.01

	Hired after October 1, 2011			
	NEW CONTRACT			
	1.80%	1.60%	1.80%	1.60%
	1/1/2014	1/1/2015	1/1/2016	1/1/2017
Firefighter 1	\$34,612.00	\$35,165.79	\$35,798.78	\$36,371.56
Firefighter 2	\$44,404.14	\$45,114.61	\$45,926.67	\$46,661.50
Firefighter 3	\$54,195.27	\$55,062.39	\$56,053.51	\$56,950.37
Firefighter 4	\$63,987.41	\$65,011.21	\$66,181.41	\$67,240.31
Firefighter 5	\$73,779.55	\$74,960.02	\$76,309.30	\$77,530.25
Firefighter 6	\$83,571.69	\$84,908.84	\$86,437.20	\$87,820.19
Firefighter 7	\$93,362.82	\$94,856.62	\$96,564.04	\$98,109.06
Firefighter 8	\$103,154.96	\$104,805.44	\$106,691.94	\$108,399.01

Section 2. Fringe benefits, including medical insurance and all other elements of compensation shall be paid as specified in the collective negotiation agreement between the City of Englewood and the IAFF 3260. The City Manager is hereby authorized to execute the collective bargaining agreement with the IAFF 3260.

Section 3. No fringe benefit or additional compensation or other term or condition of employment in effect as of the date of this ordinance, whether provided by a previously adopted ordinance of the City, by a collective negotiation agreement, or otherwise, shall be reduced by this ordinance, and any such provisions shall remain in full force and effect except to the extent that it is specifically changed by ordinance or by the collective negotiation agreement.

Section 4. The annual salaries set out herein shall be paid on a pro rata basis to any person who shall hold any of the above named positions for less than a full calendar year.

Section 5. The salaries set out in this ordinance shall become effective, retroactively, as of the effective dates specified in Section 1, and shall apply only to those persons in the employ of the City on the dates when this ordinance becomes effective as specified in Section 6 and shall remain in effect unless and until changed by subsequently adopted ordinance.

Section 6. This ordinance shall become effective immediately upon passage and publication as required by law.

FIRST READING DATE: February 25, 2014

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

DATE PUBLISHED IN THE RECORD: February 28, 2014

DATES PUBLIC HEARINGS HELD: March 18, 2014

DATE SECOND READING HELD: March 18, 2014

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

Public Hearing on Ordinance #14-07:
No one from the Public came forward to speak

AN ORDINANCE FIXING SALARIES OF THE SUPERIOR OFFICERS OF THE FIRE DEPARTMENT OF THE CITY OF ENGLEWOOD EFFECTIVE FOR THE YEARS 2014, 2015, 2016 AND 2017

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

Section 1. The annual base salaries for those Superior Officers of the Fire Department of the City of Englewood hereinafter listed shall be as follows, effective as of the years and dates indicated below:

					For all officers serving in the rank of Lieutenant or Captain at March 30, 2007			
					<u>NEW CONTRACT</u>			
					1.80%	1.60%	1.80%	1.60%
					1/1/2014	1/1/2015	1/1/2016	1/1/2017
LIEUTENANT								
	Step 1	\$105,572.71	\$107,261.87	\$109,192.59	\$110,939.67			
	Step 2	\$116,810.41	\$118,679.38	\$120,815.61	\$122,748.66			
	Step 3	\$119,594.64	\$121,508.15	\$123,695.30	\$125,674.43			
CAPTAIN								
	Step 1	\$123,110.81	\$125,080.58	\$127,332.04	\$129,369.35			
	Step 2	\$125,251.67	\$127,255.69	\$129,546.30	\$131,619.04			
	Step 3	\$128,160.09	\$130,210.65	\$132,554.45	\$134,675.32			

					For all individuals promoted to the rank of Officer after 30-Mar-07			
					<u>NEW CONTRACT</u>			
					1.80%	1.60%	1.80%	1.60%
					1/1/2014	1/1/2015	1/1/2016	1/1/2017
LIEUTENANT								
	Step 1	\$105,572.71	\$107,261.87	\$109,192.59	\$110,939.67			
	Step 2	\$109,078.70	\$110,823.96	\$112,818.79	\$114,623.89			
	Step 3	\$112,583.67	\$114,385.01	\$116,443.94	\$118,307.05			
	Step 4	\$116,088.65	\$117,946.07	\$120,069.10	\$121,990.20			
	Step 5	\$119,594.64	\$121,508.15	\$123,695.30	\$125,674.43			
CAPTAIN								
	Step 1	\$123,110.81	\$125,080.58	\$127,332.04	\$129,369.35			
	Step 2	\$124,373.13	\$126,363.10	\$128,637.64	\$130,695.84			
	Step 3	\$125,635.45	\$127,645.62	\$129,943.24	\$132,022.33			
	Step 4	\$126,897.77	\$128,928.14	\$131,248.84	\$133,348.82			
	Step 5	\$128,160.09	\$130,210.65	\$132,554.45	\$134,675.32			

Section 2. Fringe benefits, including medical insurance and all other elements of compensation shall be paid as specified in the collective negotiation agreement between the City of Englewood and the Fire Officers Group. The City Manager is hereby authorized to execute the collective bargaining agreement with the Fire Officers Group.

Section 3. No fringe benefit or additional compensation or other term or condition of employment in effect as of the date of this ordinance, whether provided by a previously adopted ordinance of the City, by a collective negotiation agreement, or otherwise, shall be reduced by this ordinance, and any such provisions shall remain in full force and effect except to the extent that it is specifically changed by ordinance or by the collective negotiation agreement.

Section 4. The annual salaries set out herein shall be paid on a pro rata basis to any person who shall hold any of the above named positions for less than a full calendar year. The Fire Chief and Deputy Fire Chief shall be paid in strict accordance with the Unclassified Salary Ordinance. No other element of the annual compensation of the Fire Chief or Deputy Fire Chief shall exceed those provided for those employees in the Superior Officers Association.

Section 5. The salaries set out in this ordinance shall become effective, retroactively, as of the effective dates specified in Section 1, and shall apply only to those persons in the employ of the City on the dates when this ordinance becomes effective as specified in Section 6 and shall remain in effect unless and until changed by subsequently adopted ordinance.

Section 6. This ordinance shall become effective immediately upon passage and publication as required by law.

FIRST READING DATE: February 25, 2014

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

DATE PUBLISHED IN THE RECORD: February 28, 2014

DATES PUBLIC HEARINGS HELD: March 18, 2014

DATE SECOND READING HELD: March 18, 2014

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

Public Hearing on Ordinance #14-08:
No one from the Public came forward to speak

ORDINANCE #14-09

AN ORDINANCE ESTABLISHING CONTRACT SALARIES AND BENEFITS FOR LOCAL 108, RWDSU, AND LOCAL 11, TEAMSTERS

WHEREAS, contract settlements have been reached with Local 108, RWDSU, and Local 11, Teamsters that establish salary amounts and benefits; and

WHEREAS, it is deemed to be in the best interests of the City to approve the terms of the contract settlements.

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

Section 1. The annual salary ranges for the positions covered by the Local 108, RWDSU contract shall be as set forth on Schedule A, attached hereto and made a part hereof, effective as of the years and dates indicated.

Section 2. The annual salary ranges for the positions covered by the Local 11, Teamsters contract shall be as set forth on Schedules B1 and B2, attached hereto and made a part hereof, effective as of the years and dates indicated.

Section 3. Other terms and conditions shall be maintained as set forth in the respective collective bargaining agreements. The City Manager is hereby authorized to execute the collective bargaining agreements with Local 108, RWDSU and Local 11, Teamsters.

Section 4. This ordinance shall become effective upon final passage and publication as required by law.

**SCHEDULE A
SALARY MINIMUMS AND MAXIMUMS**

<u>SALARY GRADE LEVELS</u>		<u>JAN.1, 2012</u>	<u>JAN. 1, 2013</u>	<u>JAN.1, 2014</u>
Grade 1	MIN	\$28,272	\$28,555	\$28,841
Clerk Typist	MAX	\$49,916	\$50,415	\$50,919
Park Ranger				
Parking Enforcement Officer				
Grade 2	MIN	\$29,552	\$29,848	\$30,146
Custodian	MAX	\$51,920	\$52,439	\$52,964
Clerk Stenographer				
Secretary				
Data Entry Clerk				
Accounting Clerk				
Assistant Control Clerk				
Grade 3	MIN	\$30,836	\$31,144	\$31,455
Senior Custodian	MAX	\$52,457	\$52,981	\$53,511
Permits & Licenses Clerk				
Technical Assistant				
Grade 4A	MIN	\$31,915	\$32,234	\$32,556
Dispatchers	MAX	\$54,473	\$55,018	\$55,568
Grade 4B	MIN	\$32,118	\$32,439	\$32,763
Computer Operator	MAX	\$54,473	\$55,018	\$55,568
Lead Custodian				
Grade 5	MIN	\$33,401	\$33,735	\$34,072
Housing Inspector	MAX	\$54,473	\$55,018	\$55,568
Accountant				
Administrative Assistant				
Grade 6	MIN	\$34,680	\$35,027	\$35,377
Senior Housing Inspector	MAX	\$56,888	\$57,457	\$58,032

LOCAL 108, R.W.D.S.U., U.F.C.W., AFL-CIO

**SCHEDULE B1
EMPLOYEES HIRED AFTER JULY 1, 2007
SALARY MINIMUMS AND MAXIMUMS**

<u>SALARY GRADE LEVELS</u>		<u>JAN.1, 2013</u>	<u>JAN. 1, 2014</u>	<u>JAN.1, 2015</u>
Grade 1	MIN	\$24,546	\$25,037	\$25,537
Laborer	MAX	\$51,723	\$52,757	\$53,812
Grade 2	MIN	\$27,423	\$27,971	\$28,530
Driver 1	MAX	\$57,464	\$58,613	\$59,785
Laborer 3				
Mechanic 1				
Grade 3	MIN	\$28,972	\$29,552	\$30,143

Driver 2	MAX	\$59,878	\$61,076	\$62,297
Grade 4	MIN	\$30,762	\$31,377	\$32,005
Climber 1	MAX	\$62,542	\$63,793	\$65,069
Driver 3				
Driver Operator				
Meter Maintenance Worker				
Grade 5	MIN	\$31,393	\$32,021	\$32,661
Equipment Operator 1	MAX	\$62,991	\$64,251	\$65,536
Grade 6	MIN	\$31,645	\$32,278	\$32,923
Equipment Operator 2	MAX	\$63,621	\$64,894	\$66,191
Mechanic 2				
Grade 7	MIN	\$32,653	\$33,306	\$33,972
Electronic Technician	MAX	\$64,270	\$65,555	\$66,867
Climber 2				
Tractor Trailer Driver				
Grade 8	MIN	\$32,905	\$33,563	\$34,234
Master Mechanic	MAX	\$66,162	\$67,485	\$68,835

LOCAL 11, TEAMSTERS

**SCHEDULE B2
EMPLOYEES HIRED BEFORE JULY 1, 2007
SALARY MINIMUMS AND MAXIMUMS**

<u>SALARY GRADE LEVELS</u>		<u>JAN.1, 2013</u>	<u>JAN. 1, 2014</u>	<u>JAN.1, 2015</u>
Grade 1	MIN	\$28,870	\$29,447	\$30,036
Laborer	MAX	\$60,836	\$62,053	\$63,294
Grade 2	MIN	\$29,378	\$29,965	\$30,565
Driver 1	MAX	\$61,555	\$62,787	\$64,042
Laborer 3				
Mechanic 1				
Grade 3	MIN	\$30,132	\$30,735	\$31,349
Driver 2	MAX	\$62,273	\$63,518	\$64,789
Grade 4	MIN	\$30,762	\$31,377	\$32,005
Climber 1	MAX	\$62,542	\$63,793	\$65,069
Driver 3				
Driver Operator				
Meter Maintenance Worker				
Grade 5	MIN	\$31,393	\$32,021	\$32,661
Equipment Operator 1	MAX	\$62,991	\$64,251	\$65,536
Grade 6	MIN	\$31,645	\$32,278	\$32,923
Equipment Operator 2	MAX	\$63,621	\$64,894	\$66,191
Mechanic 2				
Grade 7	MIN	\$32,653	\$33,306	\$33,972
Electronic Technician	MAX	\$64,270	\$65,555	\$66,867
Climber 2				
Tractor Trailer Driver				
Grade 8	MIN	\$32,905	\$33,563	\$34,234
Master Mechanic	MAX	\$66,162	\$67,485	\$68,835

LOCAL 11, TEAMSTERS

FIRST READING DATE: February 25, 2014

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

DATE PUBLISHED IN THE RECORD: February 28, 2014

DATES PUBLIC HEARINGS HELD: March 18, 2014

DATE SECOND READING HELD: March 18, 2014

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

Public Hearing on Ordinance #14-09:
No one from the Public came forward to speak

ORDINANCE #14-10

AN ORDINANCE AMENDING CHAPTER 191 FEES OF THE CODE OF THE CITY OF ENGLEWOOD, SECTION 191-12 RECREATION FACILITIES/PROGRAMS

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

Section 1. The following fees, licenses and/or applications found in Chapter 191, Section 191-12 Recreation Facilities/Programs within the Code of the City of Englewood, are hereby amended to include the items 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

CHAPTER 191, SECTION 191-12, RECREATION FACILITIES/PROGRAMS	
<i>Seasonal Programs- for program categories to include Fitness, Arts & Crafts, Computers, Sports, Music, Theater Arts, Dance</i>	<i>Not to exceed \$150.00 per 8 week session</i>
<i>Facility Rentals- facilities include Liberty School, Tryon Field House</i>	<i>Monday-Friday: \$50.00 per hour during hours of operation only</i> <i>Saturday- Sunday: \$100.00 per hour with a two (2) hour minimum \$ 50.00 per hour in excess of two (2) hours</i>
<i>Park and Field Rentals</i>	<i>\$50 per two (2) hours</i>

FIRST READING DATE: February 25, 2014

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

DATE PUBLISHED IN THE RECORD: February 28, 2014

DATES PUBLIC HEARINGS HELD: March 18, 2014

DATE SECOND READING HELD: March 18, 2014

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

Public Hearing on Ordinance #14-10:
No one from the Public came forward to speak

ORDINANCE #14-11

AMEND CHAPTER 307 PEACE AND GOOD ORDER, ARTICLE I DISORDERLY CONDUCT, SECTION 307-3 OBSTRUCTION OF HEALTH CARE FACILITIES AND TRANSITIONAL FACILITIES OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, the Governing Body of the City of Englewood wishes to amend Chapter 307 Peace and Good Order; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 307-3 Obstruction of Health Care Facilities and Transitional Facilities, Definitions is hereby amended as follows:

307-3 OBSTRUCTION OF HEALTH CARE FACILITIES AND TRANSITIONAL FACILITIES.

A. **Definitions.** As used in this section, the following terms shall have the meanings indicated:

- (1) "health care facility" - as set forth in N.J.S.A. 26:2H-2.
- (2) "transitional facility" - Community residences for the developmentally disabled and community shelters for victims of domestic violence as those terms are defined in N.J.S.A. 40:55D-66.2.

B. Within the City of Englewood, no person shall obstruct or cause the obstruction of access into or out of any **knowingly enter or remain on a public way or sidewalk adjacent to a** health care facility or transitional facility by intentionally blocking a doorway intended by the health care facility or transitional facility to be used by the public for access into or out of any such health care facility or transitional facility during its normal hours of operations or by obstructing any private or public driveway, walkway, parking area or street providing immediate access thereto. **within a radius of 8 feet of any portion of an entrance, exit or driveway of such facility or within the area within a rectangle created by extending the outside boundaries of any entrance, exit or driveway of such facility in straight lines to the point where such lines intersect the sideline of the street in front of such entrance, exit or driveway. This subsection shall not apply to the following:--**

- (1) persons entering or leaving such facility;**
- (2) employees or agents of such facility acting within the scope of their employment;**
- (3) law enforcement, ambulance, firefighting, construction, utilities, public works and other municipal agents acting within the scope of their employment; and**
- (4) persons using the public sidewalk or street right-of-way adjacent to such facility solely for the purpose of reaching a destination other than such facility.**

C. No person shall intentionally interfere with, obstruct, impede, block or prevent any person having a lawful right to enter or leave a health care facility within the City of Englewood, from seeking or obtaining access to or egress from such health care facility or transitional facility. **The provisions of subsection B. shall only take**

effect during such facility's business hours and if the area contained within the radius and rectangle described in said subsection B. is clearly marked and posted

D. A health care facility or a person whose rights to provide or obtain health care services have been violated or interfered with by a violation of this section or any person whose rights to express their views, assemble or pray near a health care facility have been violated or interfered with may commence a civil action for equitable relief. The civil action shall be commenced either in the superior court for the county in which the conduct complained of occurred, or in the superior court for the county in which any person or entity complained of resides or has a principal place of business.

FIRST READING DATE: February 25, 2014

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

DATE PUBLISHED IN THE RECORD: February 28, 2014

DATE PUBLIC HEARING HELD: March 18, 2014

DATE SECOND READING HELD: March 18, 2014

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

Public Hearing on Ordinance #14-11:

- Sandy Greenberg 449 Liberty Road:
 - Glad that the Mayor and Council have come to a resolution on this. She does not want the screaming to occur anymore.
- Ella Urdang 461 Tenafly Road:
 - Impressed with the spirit of collaboration between the Mayor and Council working within the law to allow free speech for all.
- Anne Dermansky 300 Katherine:
 - Commended the Mayor and Council for taking on this thorny issue.
 - Harassment in front of the clinic needs to stop especially on Saturdays.
- Dr. Deborah Johnson, Family Practice physician and member of NOW:
 - Supportive of this ordinance and discussed the importance of providing access to care.
- Mary Martear NOW member:
 - Supportive of this ordinance.
 - Surprised at the behavior going on at the clinic recently.
- Ellie Lupin 384 Audubon:
 - Supportive of the ordinance but concerned with their being only an 8 foot radius.
- Ed Gilhooley Attorney – Legal Center for Defense of Life:
 - Objects to ordinance.
 - Spoke about Massachusetts case currently before the Supreme Court.
 - He represents sidewalk counselors.
- Robert Parker Plainfield, NJ resident:
 - Spoke about this being a First Amendment and free speech issue not harassment.
- Vanessa Lowe- NOW member:
 - Spoke on issue of harassment, has experienced it first hand.
 - Read quotes from patients who have felt harassed.
- Bonnie Shapiro President of Northern NJ NOW:
 - Thanked the Mayor and Council for their courage and support in drafting the buffer zone ordinance especially in these times.
 - Spoke about filming of patients and a lack of privacy. Wants filming ordinance extended to cover this.

- Deb Ugar NOW State Representative:
 - Supportive of ordinance and advocates for the rights of all women seeking medical care and medical practitioners.
- Matt Shapiro Member of NOW:
 - Supportive of ordinance. Feels that women should be able to go to a medical facility and not be harassed. Also a member of the ACLU and believes in free speech.
- Joseph LoSordo- Wayne pastor:
 - Asked if this ordinance is necessary due to the magnitude of national attention that it will draw.
 - He does not harass anyone when he protests.
- Alex Hosas- Newark resident:
 - Spoke about the protestors videotaping for their own protection.
 - Objects to this ordinance.
- Mr. Sapada- Palisade Park resident:
 - Objects to this ordinance.
 - Spoke about his personal experience.
- David Brecca- Brooklyn, NY resident:
 - Objects to this ordinance.
 - Explained that he is preaching the bible.
- Joe Caruso- NY resident:
 - Objects to this ordinance.
 - Does not want the buffer zone and protests against abortions.
- Jane Doe:
 - Clinic escort, thanked the Mayor and Council for this measure. Spoke about the patients and their concerns.
- Elaine Bieger, National Council of Jewish Women:
 - Supportive of this ordinance.
 - Commented that not one of those who spoke tonight against abortions were women.

Public Comment on Agenda Items:

No one from the Public came forward to speak

RESOLUTION #086-03-18-14

2013 RESERVE BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward at the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the previous fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

WHEREAS, there is a need for budget transfers due to unforeseen circumstances and the need to provide funds to cover imminent obligations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the Chief Financial Officer is hereby authorized to make transfers from Current Fund Budget Accounts for the year 2013 where a deficit would possibly occur on or before March 31, 2014 pursuant to and in accordance with provisions N.J.S.A. 40A:4-59, and according to the schedule attached hereto.

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

BUDGET TRANSFER

18-Mar-14

<u>Description</u>	<u>Account</u>	<u>TO</u>	<u>FROM</u>
POLICE-S&W	3-01-25-000-XXX	\$38,000.00	
SANITATION-S&W	3-01-26-305-XXX		\$4,000.00
ROADS-S&W	3-01-26-290-XXX		\$6,000.00
CONST & FAC MAINT-S&W	3-01-26-311-XXX		\$5,000.00
CENT MAINT-S&W	3-01-26-315-XXX		\$4,000.00
SOCIAL SECURITY	3-01-36-472-XXX		\$15,000.00
DCRP	3-01-36-473-XXX		\$4,000.00
		S/T \$38,000.00	\$38,000.00

The accounts in the "FROM" column have more funding than necessary while the accounts in the "TO" column have insufficient funds to cover anticipated expenses.
This resolution transfers funds from the accounts that have too much money to the ones that need money.

RESOLUTION #087-03-18-14

**AUTHORIZING AN AGREEMENT WITH THE
ENGLEWOOD ECONOMIC DEVELOPMENT CORPORATION
TO MANAGE THE ENGLEWOOD BUSINESS APPRENTICESHIP PROGRAM**

WHEREAS, the City of Englewood wishes to develop an apprenticeship program for Englewood residents entering their junior and senior years of high school; and

WHEREAS, the purpose of the program is to recruit and work with local businesses to provide summer employment and/or apprenticeship opportunities for Englewood residents entering their junior and senior years of High School, and to provide said students with opportunities to learn and develop business management and employment skills; and

WHEREAS, the City of Englewood wishes to have the Englewood Economic Development Corporation manage this program;

NOW, THEREFORE, BE IT RESOLVED that the City of Englewood will enter into an Agreement with the Englewood Economic Development Corporation to manage the Englewood Business Apprenticeship Program, a summer enrichment program for Englewood residents entering junior and senior years of high school subject to the following terms and conditions:

1. The Englewood Economic Development Corporation will manage in cooperation with the Englewood Chamber of Commerce, the Englewood Business Apprenticeship Program to recruit local businesses in order to provide employment and/or apprenticeship opportunities for the participants in the Program;
2. Each student participating in the program shall be required to work twenty five (25) hours each week, and in addition thereto shall be required to attend two (2) hours of workshops each week on specific business management and employment skills. Students shall be selected by a Committee comprised of members of the Englewood Economic Development Corporation and the Englewood Chamber of Commerce whose selection criteria shall be designed to identify students most likely to benefit from the program;
3. The program will begin Monday, June 30, 2014 and conclude Friday, August 8, 2014. Upon conclusion of the program each student who completes the program shall receive a stipend of \$1,000.00, and attend a commencement ceremony to which the general public, local employers and City Officials and dignitaries shall be invited;
4. The cost of the program shall not exceed \$40,000.00 which will be paid by the City to the Englewood Economic Development Corporation prior to the commencement of the program. The \$40,000.00 shall include \$4,000.00 for administrative expenses and \$36,000.00 for thirty six (36) apprenticeships. Any costs beyond the \$4,000.00 for administrative expenses shall be borne by the Englewood Economic Development Corporation. These funds shall be specifically earmarked and designated for the apprenticeship program;

5. At the conclusion of the program in August 2014, the Englewood Economic Development Corporation and selection Committee shall prepare a comprehensive review, financial analysis and accounting to be submitted to and reviewed by the Governing Body of the City of Englewood. In addition, the Englewood Economic Development Corporation will prepare a proposed budget for 2015, if the City is inclined to continue the program for 2015.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute such necessary documents to effectuate this Agreement.

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

RESOLUTION #088-03-18-14

**RESOLUTION AUTHORIZING WAIVER OF DOWNTOWN PARKING METER FEES
DURING THE SIDEWALK SALE**

WHEREAS, the 2014 Chamber of Commerce Annual Sidewalk Sale will be held on July 24th through 26th, 2014; and

WHEREAS, in order to assist in the promotion of the Annual Sidewalk Sale conducted in Englewood's Downtown and to support the merchants that are participating, all downtown parking meter fees will be waived from Thursday, July 24th through Saturday, 26th, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all Downtown parking meter fees shall be waived during the 2014 Chamber of Commerce Annual Sidewalk Sale being held from July 24th through 26th, 2014.

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

RESOLUTION #089-03-18-14

**RESOLUTION AUTHORIZING WAIVER OF DOWNTOWN PARKING METER FEES
FOR SMALL BUSINESS SATURDAY 2014**

WHEREAS, the Small Business Saturday movement began in 2010 as a way to encourage consumers to shop locally to support businesses in their communities and was officially recognized by the United States Senate in 2011, and this event is traditionally held on the Saturday of Thanksgiving weekend; and

WHEREAS, in order to assist in the promotion of Small Business Saturday for Englewood's Downtown and encourage shoppers to support the local merchants that all downtown parking meter fees will be waived on Saturday, November 29, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all Downtown parking meter fees shall be waived during Small Business Saturday to be held on November 29, 2014.

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

RESOLUTION #090-03-18-14

RESOLUTION AUTHORIZING WAIVER OF DOWNTOWN PARKING METER FEES

DURING THE HOLIDAY SEASON

WHEREAS, the 2014 Holiday shopping season is always a busy time for Englewood's Downtown and its merchants; and

WHEREAS, in order to assist in the promotion of Holiday shopping throughout Englewood's Downtown during the holiday season, to support the merchants, and encourage shoppers; that all downtown parking meter fees will be waived from Saturday, December 13th through Tuesday, December 31st, 2014.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all Downtown parking meter fees shall be waived during the 2014 Holiday shopping season from Saturday, December 13th through Tuesday, December 31st, 2014.

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

RESOLUTION #091-03-18-14

APPOINT RECREATION ADVISORY COMMITTEE MEMBERS

BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointments are confirmed to the Recreation Advisory Committee for the following terms:

Beverly Mitchell, 103 Fairfield Street, be appointed as a member to a three-year term commencing March 18, 2014 and expiring December 31, 2016.

Chedva Breau, 185 E. Palisade Avenue, be appointed as a member to a one-year term commencing March 18, 2014 and expiring December 31, 2014.

Magalye Matos, 304 Rosemont Place, be appointed as a member to a one-year term commencing March 18, 2014 and expiring December 31, 2014.

Anita Newkirk, 362 Tryon Avenue, be appointed as a member to a two-year term commencing March 18, 2014 and expiring December 31, 2015.

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

RESOLUTION #092-03-18-14

REFUNDS DUE TO STATE TAX APPEALS

WHEREAS, a judgment has been received from the Tax Court of New Jersey for the following Block and Lots in the City of Englewood; and

WHEREAS, the said judgments have created and overpayment on the tax account listed for said years;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the Chief Financial Officer be and he is hereby authorized to refund overpayment of the property taxes in the amount of \$17,527.02 for said years due to successful tax court judgments.

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

RESOLUTION # 093-03-18-14

**AMENDING RESOLUTION #048-01-28-14 FOR
A PLACE -TO- PLACE TRANSFER
OF PLENARY RETAIL DISTRIBUTION LICENSE**

WHEREAS, the Place to Place transfer of Plenary Retail Distribution License 0215-44-004-007, heretofore issued to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants for the premises located at 3-5 East Palisade Avenue, Englewood, NJ 07631 to be transferred to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants for the premises located at 1 Engle Street, Englewood, NJ 07631 was previously approved in Resolution #048-01-28-14; and

WHEREAS, the effective date of April 1, 2014 must be changed to an effective date in the future; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood does hereby approve, effective May 1, 2014, the Place to Place transfer of the aforesaid Plenary Retail Distribution License 0215-44-004-007 issued to Gettenberg & Wellisch LLC trading as Englewood Wine Merchants for the premises located at 1 Engle Street, Englewood, NJ 07631.

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

RESOLUTION #094-03-18-14

REFUND OF TAX OVERPAYMENT

WHEREAS, it has been determined by the Tax Collector that Block 3802, Lot 3 is entitled to a tax overpayment refund;

WHEREAS, it is the desire of the City Council to have this overpayment returned to the party requesting the refund;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, the Chief Financial Officer be and he is hereby authorized to refund the overpayment of property taxes in the amount of \$3,039.03 to the Estate of Elliot Stagnari, 196 Pequest Road, Andover, NJ.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Tax Collector and Finance Officer.

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

RESOLUTION # 095-03-18-14

RENEWAL OF LIQUOR LICENSE FOR 2012- 2013 and 2013-2014

BE IT RESOLVED by the City Council of the City of Englewood that the City Clerk is hereby directed to sign, issue, and deliver Alcoholic Beverage license(s) to each of the persons, associations, firms, corporations, or clubs listed below; and to be effective only at the locations set forth after their respective names for the period which began July 1, 2012 at 12:01 AM and ended June 30, 2013 and which began July 1, 2013 at 12:01 AM and will end on June 30, 2014 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be conducted during the 2013-2014 license year.

PLENARY RETAIL CONSUMPTION LICENSE #33

0215-33-023-004

Era Hospitality LLC (*Inactive*)

No Address on File

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

RESOLUTION #096-03-18-14

**AUTHORIZE EXECUTION OF SETTLEMENT AGREEMENT
WITH CROSS CREEK POINTE CONDOMINIUM ASSOCIATION**

WHEREAS, pursuant to New Jersey State Law, N.J.S.A. 40:67-23.1 *et seq.* municipalities are required to provide certain services to qualified private communities such as solid waste collection, leaf collection and recycling; and

WHEREAS, in lieu of providing such services, municipalities shall enter into an agreement to reimburse a qualified private community for such costs; and

WHEREAS, the City did not provide all services required under the aforesaid Statute and in lieu of same is seeking to reimburse the qualified private community.

BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute, and the City Clerk to attest, an agreement between the City of Englewood and Cross Creek Pointe Condominium Association, not to exceed \$145, 000 for each year, a copy of which will be on file in the Office of the City Clerk and available for public inspection.

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

Public Session:

- Matt Shapiro, NOW member:
 - Finished his comments on Ordinance #14-11.
 - Explained that the noise from outside can be heard inside the medical clinic which can cause the doctors to become distracted.
- Suzanne Furman, NOW member:
 - Spoke about her personal experience and thanked Councilman Cohen for his words and how much they meant to her.
- Russ Kop, Attorney:
 - Thanked the Mayor and Council for their support on this ordinance from all the doctors.
 - Thanked the escorts for their service.
- Judy Doe, Teaneck resident:
 - Thanked the Mayor and Council for their support and also thanked Metropolitan Medical Associates.
 - Spoke about her personal experience prior to abortions being a constitutional right.

RESOLUTION #097-03-18-14

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 Litigations

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

ADJOURN: 9:15 PM

Motion: Algrant
All in Favor

Lauren Vande Vaarst, RMC
City Clerk