

**City of Englewood
City Council Meeting Minutes
May 26, 2015**

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

Absent: Council member Marc Forman

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.

Presentation: Englewood Volunteer Ambulance Corp New EMTs

- Sebastian Betancur
 - Eliana Betancur
 - Roman Bellanger
 - Luz Calderon
 - Cliff Kilip
 - Maritza Johnson
 - Cliff Yudkoff
 - Tom Ludorf
- The following new EMTs were unable to attend the meeting:
- Ketsia Mesidor
 - Nicki Mohammadi

RESOLUTION #115-05-26-15

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
April 21, 2015

CLOSED SESSION MINUTES
April 21, 2015

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 #116-05-26-15

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 \$25,657,316.00.

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			

Mayor and Council comments on Resolution #116:

- Councilman Hamer asked Mr. Dacey to explain why the amount of the Bills and Claims list is so large and why that is a good thing. Mr. Dacey explained that the large sums were refunded from the recent Bond note sale, and these large payments will allow the City to pay a much lower interest rate.
- Councilman Skurnick would like a list of tax lien properties that have been redeemed.

Communications from the Mayor/Council Member:

- Councilman Cohen asked if the Council could amend the garage sale ordinance to limit the number of sales that can be held per year so they do not become a business he has received complaints from the 2nd Ward about residents having garage sales every weekend. He is comfortable with allowing one garage sale per month per property and asked Council President Algrant if an Ordinance can be introduced at the June 9th Workshop so we do not lose the entire summer garage sale season. Council President Algrant directed the City Clerk and City Attorney to draft an amendment to the garage sale ordinance to be placed on the June 9th Workshop agenda for First Reading/Introduction.
- Councilwoman Algrant said that the City may have to revisit some of the parking ordinances in regard to the new automated garbage trucks, but the new trucks seem to be working very well.

Comments from the City Manager:

- The installation of the dasher boards in the ice arena has been completed; the company did a great job and completed the installation in 12 days.
- Juneteenth will be held this year the weekend of June 11 through 14 with the parade taking place on Saturday, June 13th beginning at 10:30am at the monument. The City Council will be asked to adopt a Resolution honoring this celebration at its June 9th Workshop so it can be presented on June 13th.
- Englewood Market Night is going to be held this year on Wednesday, July 15th with a rain date of Thursday, July 16th.
- Announced a new Recreation program, "Yoga with Martin" will be held evenings in Mackay Park and the program will be free.

ORDINANCE #15-06

AN ORDINANCE AMENDING CHAPTER 180 - EATING ESTABLISHMENTS, ARTICLE I- HOURS, SECTION 180-2 HOURS OF OPERATION OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 180, Article I, Section 180-2 regulates the hours of operation for eating establishments within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to add to the aforesaid Section to modify the hours of operation for eating establishments.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 180, Article I, Section 180-2 is hereby amended as follows:
§ 180-2. Hours of operation.

[Amended 9-8-2009 by Ord. No. 09-18]

A. All eating establishments in the City shall be closed and all customers shall be out of the premises thereof between the hours of ~~4:00 a.m.~~ **12 midnight** through 4:00 a.m., Monday through Saturday, and from ~~2:00 a.m.~~ **1:00 a.m.** through 4:00 a.m. on Sunday. **All eating establishments with liquor licenses shall be exempt from these regulations.**

This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: May 12, 2015

COUNCIL	MOTION	VOTE
Algrant		Y
Forman		Y

Skurnick		N
Cohen		Y
Hamer	X	Y

DATE PUBLISHED IN THE RECORD: May 15, 2015

DATES PUBLIC HEARINGS HELD: May 26, 2015

DATE SECOND READING HELD: May 26, 2015

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

Public Hearing on Ordinance #15-06:

- No one from the Public came forward to speak.

ORDINANCE #15-07

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-18
SCHEDULE X OF THE TRAFFIC AND PARKING ORDINANCE
OF THE CODE OF THE CITY OF ENGLEWOOD**

WHEREAS, Chapter 25, Section 25-18 Schedule X restricts parking on certain streets within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to add to the aforesaid Section to modify limitations on parking at designated areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-18, Schedule X is hereby amended to include as follows:

Chestnut Street North Side From Lydecker Street to Brayton Street

This Ordinance shall take effect immediately upon final passage and publication as required by law.

FIRST READING DATE: May 12, 2015

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

DATE PUBLISHED IN THE RECORD: May 15, 2015

DATES PUBLIC HEARINGS HELD: May 26, 2015

DATE SECOND READING HELD: May 12, 2015

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

Public Hearing on Ordinance #15-07:

- No one from the Public came forward to speak.

Public Comment on Agenda Items:

- No one from the Public came forward to speak.

RESOLUTION #117-05-26-15

AUTHORIZING AWARD OF CONTRACT FOR 2015 ROAD IMPROVEMENT PROGRAM, PROJECT NUMBER 111506

WHEREAS, sealed bids were received on May 19, 2015 for the 2015 Road Improvement Program, Project Number 111506 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from six (6) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110 for the sum of \$1,127,210.00 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, funds are available for this purchase from Ordinance #15-03(A), capital account C-04-15-003-000-001 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by D&L Paving Contractors, 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 D&L Paving Contractors, Inc., for the 2015 Road Improvement Program, Project Number 111506 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.

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 #118-05-26-15

**AUTHORIZING AWARD OF CONTRACT FOR ENGLEWOOD PARKS IMPROVEMENT PROGRAM,
PROJECT NUMBER 111514**

WHEREAS, sealed bids were received on May 19, 2015 for the Englewood Parks Improvement Program, Project Number 111514 in accordance with specifications therefore and following public advertisement; and

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

WHEREAS, the bid submitted by Picerno Giordano Construction, 20 Market Street, Kenilworth, New Jersey 07033 for the sum of \$102,005.00 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, funds are available for this purchase from Ordinance #15-03(E), capital account C-04-15-003-000-005 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Picerno Giordano Construction, 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 Picerno Giordano Construction, for the Englewood Parks Improvement Program, Project Number 111514 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.

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 #119-05-26-15

AUTHORIZING AWARD OF CONTRACT FOR TWISBY PLACE RECONSTRUCTION, PROJECT NUMBER 111505

WHEREAS, sealed bids were received on May 14, 2015 for the Twisby Place Reconstruction, Project Number 111505 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from six (6) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by Gotthold Paving, LLC, PO Box 205, Edgewater, New Jersey 07020 for the sum of \$268,177.00 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, funds are available for this purchase from Ordinance #15-03(B), capital account C-04-15-003-000-002 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Gotthold Paving, LLC 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 Gotthold Paving, LLC, for the Twisby Place Reconstruction, Project Number 111505 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.

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 #120-05-26-15

CONFIRMATION OF RE-APPOINTMENT OF THE CONSTRUCTION CODE OFFICIAL, BUILDING SUB CODE OFFICIAL

WHEREAS, the City Manager is recommending the re-appointment of Walter Deptuch as Construction Code Official for the City of Englewood effective June 14, 2015 at a salary of \$109,343.00 which includes current longevity; and

WHEREAS, this re-appointment is being made pursuant to N.J.S.A. 52:27D-126 and as such requires confirmation by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, confirms the re-appointment of Walter Deptuch as Construction Code Official, Building Sub Code Official for the City of Englewood effective June 14, 2015 and upon such reappointment shall be granted tenure and shall not be removed from office except for just cause after a fair and impartial hearing as set forth in N.J.S.A. 52:27D-126.

<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			

RESOLUTION #121-05-26-15

**AUTHORIZE BERGEN FAMILY CENTER APPLICATION FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, a Bergen County Community Development grant of \$12,500 has been proposed by Bergen Family Center for the replacement of gas fired boiler system at their facility located in the City of Englewood; 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.

<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			

Mayor and Council comments on Resolution #121:

- Councilman Skurnick asked that if the Bergen Family Center does not receive the CDBG funding can the City assist them. Mr. Dacey explained that they are applying for leftover prior year funding and it should not be a problem for them to be approved for the CDBG grant.

RESOLUTION #122-05-26-15

REFUND OF TAX OVERPAYMENT

WHEREAS, it has been determined by the Tax Collector that Block 2706, Lot 11 (209 Maple Street) is entitled to a tax overpayment refund for the year 2014 due to a duplicate payment made by the homeowner;

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 \$10,047.79 to Charles Simpson, 209 Maple Street, Englewood, NJ 07631.

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

<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			

RESOLUTION #123-05-26-15

AUTHORIZE PLACEMENT OF TINY FREE LIBRARIES IN THE CITY OF ENGLEWOOD

WHEREAS, the Friends of the Englewood Library are proposing to start a Tiny Free Library within the City of Englewood, this project will place miniature lending libraries throughout the City of Englewood where anyone can take or leave a book under an honor system. It is a step toward building community, celebrating creativity, encouraging reading, involving people of all ages, and enhancing Englewood's public identity. Little Free Libraries are a community movement in the United States and worldwide that offers free books housed in small containers to members of the local community; and

WHEREAS, the Friends of the Englewood Library are enthusiastic about this community project and toward that end have purchased and painted a tiny library which they would like to place in Englewood so that anyone could use it at any time. The Friends of the Englewood Library will assume responsibility for the first Tiny Free Library including stocking it with books and providing any needed care and maintenance; and

WHEREAS, the Friends of the Englewood Library worked with the City of Englewood Construction Code Official and Zoning Officer to identify a site for the first Tiny Free Library and have identified the following site and are seeking approval to place a tiny free library on city property near the bus stop at the southwest corner of N. Dean Street and E. Demarest Avenue for a three month trial period. If the trial period goes smoothly and the response is positive, the Friends of the Englewood Library will consider additional sites on both public and private property, and will confer with the City of Englewood on the selection of future sites. The Friends of the Englewood Library view this as an exciting, positive step for the community and aim to involve many citizens and groups in the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the placement of the first Tiny Free Library by the Friends of the Englewood Library is authorized on city property near the bus stop at the southwest corner of N. Dean Street and E. Demarest Avenue for a three month trial period and the projects continuation will be evaluated at the end of the trial period.

<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			

Public Session:

- Walter Deptuch, Construction Code Official:
 - Thanked the Mayor and City Council for their support and he greatly appreciates it.

ADJOURN: 8:33 PM

Motion: Hamer
All in Favor

Lauren Vande Vaarst, RMC
City Clerk