

**City of Englewood
City Council Meeting Minutes
January 26, 2016**

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.

Present: Council President Wayne Hamer
Council Member Charles Cobb
Council Member Michael Cohen
Council Member Marc Forman
Council Member Eugene Skurnick
Mayor Frank Huttie III
City Attorney William Bailey
City Manager Timothy Dacey
City Clerk Yancy Wazirmas

Absent: None

Council President Hamer called the meeting to order at 7:30pm and then led the Pledge of Allegiance.

OPEN PUBLIC MEETINGS ACT: The City Clerk read the following statement: *Adequate notice of this meeting, pursuant to the Open Public Meetings Act, was provided on the Annual Schedule of Meetings, which was adopted by the City Council on January 5, 2016, posted on the bulletin board at City Hall, distributed to The Record, and filed in the office of the City Clerk.*

BILLS AND CLAIMS

RESOLUTION #047-01-26-16: 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 \$7,048,933.89.

Motion by **Council Member Forman** seconded by **Council Member Skurnick** to approve the Bills and Claims.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

CLOSED SESSION:

RESOLUTION #046-01-12-16: 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:

Pending Litigation and Attorney/Client Privilege

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.

Motion by **Council Member Cobb** seconded by **Council Member Forman** to approve.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ORDINANCES – INTRODUCTION/FIRST READING:

ORDINANCE #16-01

AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-19, SCHEDULE XI OF THE TRAFFIC AND PARKING ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD

Councilman Cohen made a motion that the ordinance pass on first reading and be published once, by title only, in the Record, and that a public hearing be held on **February 23, 2016.**

Councilman Forman seconded the motion.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ORDINANCE #16-02

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

Councilman Cohen made a motion that the ordinance pass on first reading and be published once, by title only, in the Record, and that a public hearing be held on **February 23, 2016**.

Councilman Cobb seconded the motion.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ORDINANCE #16-03

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

Councilman Forman made a motion that the ordinance pass on first reading and be published once, by title only, in the Record, and that a public hearing be held on **February 23, 2016**.

Councilman Cohen seconded the motion.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ORDINANCE #16-04

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-9 SCHEDULE II
OF THE TRAFFIC AND PARKING ORDINANCE
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD**

Councilman Cohen made a motion that the ordinance pass on first reading and be published once, by title only, in the Record, and that a public hearing be held on **February 23, 2016**.

Councilman Skurnick seconded the motion.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ORDINANCES – PUBLIC HEARING/SECOND READING:

- None

PUBLIC COMMENT ON AGENDA ITEMS:

Council President Hamer opened the meeting for public comments on the Consent Agenda Resolutions.

- No Comments.

RESOLUTIONS-CONSENT AGENDA

#045-01-26-16 Appointment Of Members – Board Of Adjustment

#048-01-26-16 2015 Budget Reserve Transfers

#049-01-26-16 Award Professional Services Contract to T&M Associates to Provide Engineering Services for Nordhoff Place Area Study-Phase I, Project No. ENGL0H-15002

- #050-01-26-16 Appoint Temporary Judges for 2016
- #051-01-26-16 Resolution for a Zero Percent Tax Rate Increase in the 2016 Municipal Budget
- #052-01-26-16 Honoring Esther Hilliard
- #053-01-26-16 Refunds Due To State Tax Appeals
- #054-01-26-16 Refunds Due To County Board Judgments
- #055-01-26-16 Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey Grant Application
- #056-01-26-16 Rescind Resolution #239-12-08-15: Person-To-Person Transfer of Plenary Retail Consumption License
- #057-01-26-16 Englewood Library Roof and Window Repairs
- #058-01-26-16 Resolution Adopting IRS Mileage Rate for Reimbursement

Council President Hamer asked if any members of the Council wished to have any resolutions pulled off the Consent Agenda to be voted on separately. Council Members requested that Resolutions #045, #050, #051 and #053 be pulled from the Consent for separate vote.

A motion was made by **Councilman Cobb** and seconded by **Councilman Skurnick** to approve Resolutions #048 through #049, #52, and #54 through #58.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

RESOLUTION #048-01-26-16: 2015 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 2015 where a deficit would possibly occur on or before March 31, 2016 pursuant to and in accordance with provisions N.J.S.A. 40A:4-59, and according to the schedule attached hereto.

<u>Description</u>	<u>Account</u>	<u>TO</u>	<u>FROM</u>
INSURANCE	5-01-23-210-XXX		\$157,000.00
BCUA SOLID WASTE	5-01-31-455-XXX		\$6,000.00
ROADS -O/E	5-01-26-290-XXX	\$10,000.00	
DPW ADMIN-O/E	5-01-26-300-XXX	\$5,000.00	
SHADE TREE-O/E	5-01-26-301-XXX	\$15,000.00	
SEWER-O/E	5-01-26-302-XXX	\$5,000.00	
BLDG & GRDS-O/E	5-01-26-310-XXX	\$10,000.00	
CENT MAINT-O/E	5-01-26-315-XXX	\$30,000.00	
BCUA-LEAF DISP	5-01-31-455-XXX	\$80,000.00	
CODE ENFORCE	5-01-22-195-XXX	\$6,000.00	
HEALTH -O/E	5-01-27-330-XXX	<u>\$2,000.00</u>	<u>\$0.00</u>
		S/T <u><u>\$163,000.00</u></u>	<u><u>\$163,000.00</u></u>

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 for the year 2015.
 This resolution transfers funds from the accounts that have too much money to the ones that need money.

RESOLUTION #049-01-26-16: AWARD PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR NORDHOFF PLACE AREA STUDY-PHASE I, PROJECT NO. ENGLOH-15002

WHEREAS, the City of Englewood has the need for Engineering Services for a Drainage Study for Nordhoff Place Area, Project No. ENGLOH-15002; and

WHEREAS, the scope of work as outlined in the attached proposal dated December 16, 2015 includes the following:

Phase I-Field Reconnaissance and Field Surveying

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T&M Associates, 1455 Broad Street, Suite 250, Bloomfield, New Jersey 07003 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal dated December 16, 2015, is not to exceed \$19,750.00; and

WHEREAS, T&M Associates will complete and submit a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, funds are available for this purchase from Ordinance #14-16, capital account C-04-14-016-000-004 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T&M Associates to provide Engineering Services for the Drainage Study for Nordhoff Place Area, Project No. ENGLOH-15002; and

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Record newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

RESOLUTION #052-01-26-16: HONORING MRS. ESTHER HILLIARD

WHEREAS, Mrs. Esther Hilliard turned 103 years old on January 17, 2016 and has been an Englewood resident for over 70 years; and

WHEREAS, Mrs. Hilliard, wife of the late A. Daniel Hilliard, was born in 1913 in Nashville, Tennessee, the fourth of Rosa and Lucius Walker' five children and the granddaughter of a former slave and a Native American. Mrs. Hilliard spent her childhood in Nashville and in Chicago, Illinois. She currently resides in Englewood with her daughter Mrs. Christine Robinson and has two grandsons, four great grandchildren and six great-great grandchild; and

WHEREAS, Esther Hilliard has always been politically active and involved in whatever community she resided in. In Nashville she participated in numerous boycotts to improve conditions for her fellow African-Americans in regard to employment opportunities with local grocery stores and access to local transportation services, in New York City she served as a Sunday School Teacher at St. Mark's Methodist Church, has been involved in fundraising for Reverend Jesse Jackson's Rainbow Coalition, and in Englewood Mrs. Hilliard has been serving as the President of the Englewood AARP #3666 for the past 20 years, volunteered for State Senator Byron Baer and U.S. Senator Robert Torricelli, marched on City Hall to integrate the Englewood Public Schools, is a member of Senior Happenings, longtime member of the Bergen County NAACP, past member of the Senior Arts & Crafts (CAP), member of the Modernaires and a quilt-making group; and

WHEREAS, Mrs. Hilliard retired after thirty years of service at West Pak of Englewood and Ridgefield and also worked at Alexander’s Department Store in Paramus. She has traveled extensively throughout Europe, Africa, the United States and numerous Caribbean Islands. Esther is well known for both her fashion forward style, always wears a hat, and her skills as a gardener who plants beautiful and colorful gardens.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the City Council of the City of Englewood that on the occasion of the 103rd anniversary of her birth would like to pay homage to Mrs. Esther Hilliard and congratulate her as she reaches this milestone in her life.

RESOLUTION #054-01-26-16: REFUNDS DUE TO COUNTY BOARD JUDGMENTS

WHEREAS, a judgment has been received from the Bergen County Board of Taxation 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 \$1,039.35 for said years due to successful tax court judgments.

OWNER	Block & Lot	Address	Amount
Schweky, Edward Etal	2707 – 6	78 Franklin Street	\$1,039.35

RESOLUTION #055-01-26-16: RESOLUTION OF SUPPORT FROM LOCAL GOVERNING BODY AUTHORIZING THE SUSTAINABLE JERSEY GRANT APPLICATION

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Englewood strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the City of Englewood is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

WHEREAS, the City Council of the City of Englewood has determined that the City of Englewood should apply for the aforementioned Grant;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood, County of Bergen, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

RESOLUTION #056-01-26-16: RESCIND RESOLUTION #239-12-08-15: PERSON-TO-PERSON TRANSFER OF PLENARY RETAIN CONSUMPTION LICENSE

WHEREAS, the City Council approved Resolution #239-12-08-15 for a Person-to-Person Transfer of a Plenary Retail Consumption License 0215-33-014-006 for AWJ Inc. t/a Solaia to Bistro Capri LLC located at 22-24 North Van Brunt Street, Englewood, New Jersey 07631; and

WHEREAS, the submitted application did not include a tax clearance letter or a consent to transfer form; and

WHEREAS, the State of New Jersey, Division of Alcoholic Beverage Control has deemed the application incomplete and has not authorized the person-to-person transfer; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood does hereby rescind, effective immediately, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License located at 22-24 North Van Brunt Street, Englewood, NJ 07631.

RESOLUTION #057-01-26-16: AWARD PROFESSIONAL SERVICES CONTRACT TO ARCARI+IOVINO ARCHITECT TO PROVIDE ARCHITECTURAL SERVICES FOR ENGLEWOOD LIBRARY ROOF REPAIR, PROJECT NO. 111602

WHEREAS, the City of Englewood has the need for Architectural Services for Englewood Library Roof and Window Repairs, Project No. 111602; and

WHEREAS, the scope of work as outlined in the attached proposal dated January 5, 2016 includes the following:

- Prepare a complete set of Plans, Specs, and Bid Documents for the project
- Prepare a construction estimate for the project
- Review Bid Documents and provide a Letter of Recommendation to the City
- Schedule and Oversee Preconstruction meeting
- Answer all RFI's related to the project until the completion of the project
- Schedule appropriate number of inspections to properly oversee project and to ensure conformance to the specifications
- Provide required reports, photos, and documents to the City of Englewood regarding the project

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Arcari+Iovino, One Katherine Drive, Little Ferry, New Jersey 07643 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 1 1-1 et. seq.) authorizes the award of such professional services contracts without competitive bidding; and

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal dated January 5, 2016, is not to exceed \$15,500.00;and

WHEREAS, Arcari+Iovino will complete and submit a Business Entity Disclosure Certification and a Political Contribution Disclosure Form certifying that the firm has not made or will make any reportable contributions that would bar the award of this contract under the provisions of N.J.S.A. 19:44A-1 et seq. and City of Englewood Ordinance No. 07-31; and

WHEREAS, funds are available for this purchase from Ordinance #13-06, capital account C-04-13-006-000-006 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to *Arcari+Iovino* to provide Architectural Services for Englewood Library Roof and Window Repairs, Project No. 111602; and

BE IT FURTHER RESOLVED, that a copy of the within resolution, together with a copy of the Agreement and that the Business Disclosure Entity Certification and the Determination of Value, be on file in the Office of the City Clerk and be available for public inspection during regular business hours; and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized to cause a brief notice to be published once in the Record newspaper stating the nature, duration, service, and amount of the contract and that the resolution and contract are on file and available for public inspection in the office of the City Clerk.

RESOLUTION #058-01-26-16: RESOLUTION ADOPTING IRS MILEAGE RATE FOR REIMBURSEMENT

BE IT RESOLVED, that the City of Englewood shall reimburse for mileage as per the current IRS rate of \$0.54 per mile effective January 1, 2016.

RESOLUTIONS – NON-CONSENT AGENDA

RESOLUTION #045-01-26-16: APPOINTMENT OF MEMBERS – BOARD OF ADJUSTMENT

BE IT RESOLVED by the City Council of the City of Englewood that the following appointments of the Mayor are hereby confirmed:

BOARD OF ADJUSTMENT

- James Schwalbe, 320 Walnut Street, be reappointed to a four-year term commencing January 1, 2016 and expiring December 31, 2019.
- Theresa Thomas, 279 Genesee Avenue, be appointed to a four-year term commencing January 1, 2016 and expiring December 31, 2019.

A motion to approve Resolution #045 was made by **Councilman Cobb** and seconded by **Councilman Forman**.

Mayor and Council Comments on Resolution #045-01-26-16:

- Councilman Skurnick explained that he is not voting in favor of this resolution because there is no representation on the board from the 3rd Ward.
- Councilman Cohen stated that he is voting in favor of this resolution, but would like to have policy procedures in place for how candidates are vetted and chosen for appointments to the Boards and Committees.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman and Hamer

Abstain: Council Member Skurnick

RESOLUTION #050-01-26-16: APPOINT TEMPORARY MUNICIPAL COURT JUDGES

WHEREAS, the City of Englewood operates a Municipal Court and is in need of Temporary Municipal Court Judges to preside over court sessions;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Englewood, County of Bergen, hereby appoint the following:

- Helene C. Herbert as a Temporary Municipal Court Judge for a one (1) year term, commencing January 27, 2016 through December 31, 2016.
- Francis J. Leddy, Jr. as a Temporary Municipal Court Judge for a one (1) year term, commencing January 27, 2016 through December 31, 2016.

A motion to approve Resolution #050 was made by **Councilman Forman** and seconded by **Councilman Cobb**.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

RESOLUTION #051-01-26-16: RESOLUTION FOR A ZERO PERCENT TAX RATE INCREASE IN THE 2016 MUNICIPAL BUDGET

WHEREAS, the City of Englewood is desirous of maintaining the vibrancy, livability, and affordability of the community for all its residents; and

WHEREAS, over the past 5 budget years the City has proven its ability to not significantly raise taxes while maintaining and/ or increasing the level of services for all its residents; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Englewood, County of Bergen, hereby expresses its desire to finalize a municipal budget that will not result in an increase in the municipal purpose tax rate for the 2016 Budget year in order to insure the continued efficient and effective operation of the City.

Mayor and Council Comments on Resolution #051-01-26-16:

- Councilman Cohen explained that this is non-binding resolution which is meant to be a mission statement at the beginning of the budget cycle.
- Councilman Forman stated that he is in favor of the intent of the resolution but it is poorly crafted because it is not beneficial to the City to consistently set a zero tax rate.
- Councilmen Skurnick and Cobb commended Councilman Cohen for his effort but agreed with Councilman Forman.

A motion to approve Resolution #051 was made by **Councilman Cohen** and seconded by **Councilman Skurnick**.

ROLL CALL:

Yes: Council Members Cohen and Skurnick

No: Council Members Cobb, Forman and Hamer

RESOLUTION #053-01-26-16: 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 \$283,286.75 for said years due to successful tax court judgments.

OWNER	Block & Lot	Address	Amount
Boteach, Deborah	3501-11	394 E Palisade Ave.	\$5,683.10 – 2013 \$5,952.23 - 2014
Estate of Philip Simon	2909-8	41 Bancker St.	\$6,043.32 – 2011 \$3,845.60 - 2015
Rabinowitz, David & Penina	2707-14	83 E Linden Ave	\$2,441.82 – 2011 \$4,770.21 – 2012 \$4,996.11 – 2013 \$5,070.74 – 2014 \$5,113.10 - 2015
Oster, Avi	3601 – 3	400 E Linden Avenue	\$4,582.45 - 2013
100 W Palisade LLC	2303 – 5	90 W Palisade Ave.	\$25,069.00 – 2012 \$12,168.00 – 2015
Lower Linden LLC	2412 – 7.01	33 E Linden Ave.	\$633.75 – 2015
Lower Linden LLC	2412 – 7.02	31 E Linden Ave.	\$633.75 – 2015
Lower Linden LLC	2412 – 7.03	29 E Linden Ave.	\$633.75 – 2015
Lower Linden LLC	2412 – 7.04	27 E Linden Ave.	\$633.75 – 2015
Lower Linden LLC	2412 – 7.05	25 E Linden Ave.	\$633.75 – 2015
NVE Bank	1207 – 3	30 Park Place	\$2,514.00 – 2014 \$2,535.00 – 2015
NVE Bank	1207 – 4	76 Engle Street	\$16,245.47 – 2014 \$16,381.17 – 2015
NVE Bank	1207 – 5	70 Engle Street	\$23,978.53 – 2014 \$24,178.83 – 2015
22-24 N Van Brunt LLC	610-5	24 N Van Brunt Street	\$2,535.00 – 2015
Solomon, Edward & Sheva	3201 – 15	115 Maple Court	\$2,365.00 – 2012 \$2,477.00 – 2013 \$2,514.00 – 2014
NVE Savings Bank S&L Assoc	3007 – 56	535 Grand Ave	\$1,942.41 – 2011 \$16,103.29 – 2012 \$20,581.39 – 2013 \$20,888.83 – 2014 \$21,063.32 – 2015
NVE Savings Bank	709 – 9	42 W Hudson Ave.	\$5,013.45 – 2013 \$6,345.34 - 2014 \$6,398.34 – 2015
S. Jose & Miriam Fishman	1101 – 10	140 Glenwood Road	\$321.95 – 2015

A motion to approve Resolution #050 was made by **Councilman Cobb** and seconded by **Councilman Cohen**.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

PRESENTATION:

- Presentation of Resolution #052-01-26-16 to the family of Mrs. Esther Hilliard

COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS:

Mayor Frank Huttle:

- Thanked the Department of Public Works and the Police and Fire personnel that supported them during the Blizzard (Winter Storm Jonas) and welcomed the new DPW Director with his firm winter storm.

Councilman Eugene Skurnick:

- Expressed concerns that the Mayor may have a conflict with a business relationship with one of the members of the Board of Adjustment.

Councilman Marc Forman:

- No Comments.

Councilman Michael Cohen:

- Thanked Assemblyman Gordon Johnson for attending the Martin Luther King, Jr. Day event at the Simon Rosenthal Museum of Tolerance which he runs.
- Spoke about the appearance of conflicts even though there may not be anything illegal or unethical done.

Councilman Charles Cobb:

- Thanked the residents who come out to Council meetings and the DPW for their efforts in regards to the blizzard.
- Concerned with the plowing over of the fire hydrants and the fire departments having to clear them out.
- Encourages the Residents to get involved and learn the process as they begin the budget process.
- Thanked all those who attended the Martin Luther King, Jr. Day ceremony at Ebenezer Baptist Church

Council President Wayne Hamer:

- No Comments.

COMMENTS FROM THE CITY MANAGER:

- DPW has been out since Friday midnight with the snow and will be concluding operations tomorrow, except for snow melting which will continue until Thursday.
- PSE&G was in today to connect the electricity to the new firehouse and will connect the gas next week. Looking to begin the move in around February 20th and gradually get in the building early March.
- The budget meetings are scheduled and the dates are posted on the website.
- Recreation sponsored a family skate night last Saturday at the Mackay Arena and there were 268 people in attendance.
- Lighting detectors will be going in by the end of March to centrally cover Mackay Park, the pool at Mackay, Tryon pool with Haring Park across the way, Denning Field, and the Little League Field. Cost is approximately \$33,000.00
- The Court review by the County was conducted last Friday and are waiting for the report.
- The budget books will be given to the Council by next Friday.

PUBLIC SESSION:

Council President Hamer opened the meeting to the public and instructed that any member wishing to speak to step up to the microphone and give their name and address, and have five minutes to speak.

- Elle Kelly, 350 Shepard Avenue:
 - Concerned about the snow pile-ups at the corners which prevents the students from safely crossing the streets.
 - Wasted water leaks costing the City money and asked they be fixed.
 - Concerned about the workmanship on Palisades Avenue
 - Streets in the 4th Ward need paving along with the walkways around the monument.
 - Need more street lighting in Mackay Park
 - Concerned about the increasing population and the impact on classroom space.
- Jerrod Wasserman, Franklin Street
 - Thanked the Council for introducing the traffic ordinances.
- Jill Lauren, Booth Avenue:
 - Expressed concerns about the number of trees that were cut down on the Booth Avenue and asked that a stricter tree ordinance be put in place.
 - Mayor Huttel responded that he just signed the Forestry Management Plan which is the Master Plan for tree plantings.
- Nora Vogel, 318 Marlboro Rd:
 - Expressed her concerns about the maintenance of the existing trees.
 - Asked that the bickering among the Mayor and Council stop and focus on the residents.
 - Asked that a bus route be brought to the 3rd Ward, especially along Knickerbocker Road

Council President Hamer closed the Public Session.

CLOSED SESSION:

RESOLUTION #059-01-12-16: PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Litigation, Acquisition of Property and Attorney/Client Privilege

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.
- (X) 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.

Motion by **Councilman Forman** seconded by **Councilman Cohen** to approve.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

ADJOURN:

Motion to adjourn the meeting by **Councilman Forman** seconded by **Councilman Cohen**.

ROLL CALL:

Yes: Council Members Cobb, Cohen, Forman, Skurnick and Hamer

Meeting was adjourned at 10:15pm.

Yancy Wazirmas, RMC
City Clerk