

City of Englewood
City Council Workshop
Meeting Minutes

March 8, 2016

A Workshop Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey was held in the Municipal Court in the Public Safety Building commencing at 7:30 P.M.

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.*

SWEARING-IN:

Police Officer:

- Thomas Greeley, Promotion to Lieutenant

ORDINANCES – INTRODUCTION/FIRST READING:

ORDINANCE #16-06

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Councilman Skurnick 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 **March 22, 2016.**

Councilman Hamer seconded the motion.

ROLL CALL:

Yes: Council Members Cobb, Skurnick and Hamer

No: Council Members Cohen and Forman

PUBLIC COMMENT ON CONSENT AGENDA ITEMS

The Council President asks if anyone from the Public wishes to speak about any of the other Resolutions on the Consent Agenda **#079 to #081.**

- Elle Kelly, 350 Shepard Ave:
 - Asked that a cap be placed on police salaries.

Council President Hamer closed the Public Comments Section.

RESOLUTIONS-CONSENT AGENDA

#079-03-08-16 Authorize an Accelerated Tax Sale CY 2016

#080-03-08-16 Resolution Introducing 2016 City Budget

#081-03-08-16 Authorizing a Third Amendment to the Redevelopment Agreement Dated May 7, 2014 by and Between the City of Englewood and Englewood Builders Urban Renewal Company, LLC

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 Resolution #079 be pulled from the Consent Agenda for a separate vote.

Council Members and the Mayor discussed Resolution #079 and the impact it may have on the residents. Mr. Dacey explained that not passing this resolution will require the City to increase the 2016 Municipal Budget by \$1.5 million to cover uncollected taxes which will result in an increase in taxes to be collected.

RESOLUTION #079-03-08-16: AUTHORIZE AN ACCELERATED TAX SALE CY 2016

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 27, 2016 and conclude on Friday, August 5, 2016. 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;

5. At the conclusion of the program in August 2016, 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 2017, if the City is inclined to continue the program for 2017.

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

A motion to approve Resolution #065 was made by **Councilman Skurnick** and seconded by **Councilman Forman**.

Mayor and Council Comments on Resolution #079-03-08-16:

- Councilman Cobb stated that he is not comfortable with this resolution.
- Council President Hamer suggested that this discussion take place in the future at Re-Organization Meetings.

ROLL CALL:

Yes: Council Members Cohen, Forman, Skurnick and Hamer

Abstain: Council Member Cobb

A motion was made by **Councilman Skurnick** and seconded by **Councilman Cohen** to approve Resolutions #080 and #081.

ROLL CALL:

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

RESOLUTION #080-03-08-16: RESOLUTION INTRODUCING 2016 CITY BUDGET

The Local Budget of the City of Englewood, County of Bergen, for the calendar year 2016.

BE IT RESOLVED that the statement of revenue and appropriations (as included in the official Budget) shall constitute the Local Budget for the year 2016; and

BE IT FURTHER RESOLVED that the cancellation of unexpended balances of 2015 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 7, 2016 and a public hearing be held there on April 19, 2016, and that the City Council of the City of Englewood does hereby approve the Annual Budget for the year 2016 in the sum of \$62,448,916.

RESOLUTION # 081-03-08-16: AUTHORIZING A THIRD AMENDMENT TO THE REDEVELOPMENT AGREEMENT DATED MAY 7, 2014 BY AND BETWEEN THE CITY OF ENGLEWOOD AND ENGLEWOOD BUILDERS URBAN RENEWAL COMPANY, LLC

WHEREAS, on or about May 7, 2014, the CITY OF ENGLEWOOD and ENGLEWOOD BUILDERS URBAN RENEWAL COMPANY, LLC entered into a Redevelopment Agreement with respect to the purchase and redevelopment of the City owned Lincoln School and Firehouse properties; and

WHEREAS, the Redeveloper seeks an amendment to the May 7, 2014 Redevelopment Agreement to facilitate the participation of a new investor member of ENGLEWOOD BUILDERS URBAN RENEWAL COMPANY, LLC, and construction loan financing for the Project as well as the extension of timeframes for the Project, among other things, as set forth in the proposed Amendment annexed hereto;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute the Third Amendment to the Redevelopment Agreement, which is annexed hereto.

RESOLUTIONS FOR DISCUSSION

- 2015 Budget Reserve Transfers
- Refunds Due to State Tax Appeals
- Shared Services Agreement for Short Term Emergency Sharing of Fire Apparatus with Bergen County
- Resolution Authorizing Waiver Of Downtown Parking Meter Fees During Certain Dates In 2016

The items listed above were discussed by the Council Members and the Resolutions will be placed on the Regular Council Meeting Agenda for approval.

ORDINANCES FOR DISCUSSION

- None

ITEMS FOR DISCUSSION:

- 41 Honeck Street: seeking permission to construct improvements on City property per the site plan approved by the Planning Board
Mr. Dacey advised that this discussion is for Closed Session and will be brought back for the next meeting for public session.
- Additional Parking/ Walgreens
Councilman Cobb wants to explore the possibility of commuter parking and asked that the manager be contacted about 30 parking spaces.
- Restoration of Bridges in Mackay Park
Councilman Cobb wants to explore returning bridges as access points to the park. The Council Members continued the discussion and spoke about police department input and capital budget
- 40 Bennett Road Update
Council President Hamer proposed two options for a community center: form a committee to do a needs assessment or make a decision regarding this address. After a lengthy discussion, Mr. Hamer stated that there will be a presentation at the next Work Session and continued discussion to forming an ad hoc committee.

PUBLIC SESSION:

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

- Elle Kelly, 350 Shepard Ave:
 - Expressed concerns about lights going out in certain sections of the 4th Ward and wants a power substation be built by PSE&G in the section next to Galilee Church
 - Concerned with the police department's customer service skills.
 - Spoke about the senior tax freeze and tax lien sales
- David Matthews, 215 West Hudson Ave:
 - Asked what is the City's current bond rating (AA Stable)
 - Stated his opposition to taxing Englewood Hospital because he does not believe it is helpful to economic growth.
 - Asked what is being done with Liberty School (no decision at this time)
- Shirley Smith, 374 W Palisade Ave:
 - Expressed concerns that not enough African Americans and residents are being hired by the Police Department.
- Alva Jones, 87D Du Bois Court:
 - Spoke about her support for a community center and a skating ring
 - Opposed to providing a name when police department is called
 - Asked for increased police patrols in her neighborhood.
- Curtis Caviness, E. Forest Ave:
 - Asked for commitment from the Council to the Recreation program that is in the Master Plan. Wants the Recreation Advisory Committee to be included in the discussions for the community center.
 - Asked if a deeds analysis was done for the bridges at Mackay Park

- Dionuso Cucato, 31 Armory Street:
 - Stated that a Community/Recreation Center is needed by the community and that 40 Bennett Rd is not big enough for the needs of the community.
- Jean Hopewell, 380 Liberty Rd:
 - Expressed her support for a community center and her concerns that membership numbers are down at Tryon pool.
- Wayne Scott, 315 Shepard Ave:
 - Stated that a concept of a community center needs to be thought of as an investment in the future.
 - Asked if there is a plan for the enforcement of pedestrian crossing at the crosswalks on Palisades Ave
- Alva Jones, 87D Du Bois Court:
 - Asked what are the intentions for the lot on the corner of William Street and Englewood Ave. (not decided or discussed by Council yet)

CLOSED SESSION:

RESOLUTION #082-03-08-16: 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:

Acquisition of Real Property, Pending or Anticipated Litigation and Contract Negotiations 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 **Council President Hamer** to approve.

ROLL CALL:

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

Motion to Re-convene in open session by **Councilman Cobb** and was seconded by **Councilman Cohen**.

ROLL CALL:

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

ADJOURN:

Motion by **Councilman Cobb** seconded by **Councilman Forman** to adjourn at 10:13pm.

ROLL CALL:

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

Yancy Wazirmas, RMC
City Clerk