

**City of Englewood**  
**City Council Meeting Minutes**  
**March 22, 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  
City Attorney William Bailey  
City Manager Timothy Dacey  
City Clerk Yancy Wazirmas

Absent: Mayor Frank Huttle III

Council President Hamer called the meeting to order at 7:35pm 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.*

**APPROVAL OF MINUTES**

**RESOLUTION #084-03-22-16: RESOLUTION ACCEPTING MINUTES**

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

COUNCIL MEETINGS

December 15, 2015  
January 26, 2016

COUNCIL WORKSHOP MEETINGS

December 8, 2015  
January 26, 2016

ANNUAL ORGANIZATION MEETING

January 5, 2016

Motion by **Councilman Forman** seconded by **Councilman Skurnick** to approve the Minutes.

**ROLL CALL:**

**Yes:** Council Members Cobb, Forman, Skurnick and Hamer  
(Councilman Cohen is absent for this portion of the meeting.)

**BILLS AND CLAIMS**

**RESOLUTION #085-03-22-16: 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 \$5,178,598.23.

Motion by **Councilman Skurnick** seconded by **Councilman Cobb** to approve the Bills and Claims.

**ROLL CALL:**

**Yes:** Council Members Cobb, Forman, Skurnick and Hamer  
(Councilman Cohen is absent for this portion of the meeting.)

**ORDINANCES – PUBLIC HEARING/SECOND READING:**

At the request of the Council President, the City Clerk read the title of the ordinance:

**ORDINANCE #16-05**

**AN ORDINANCE AMENDING ORDINANCE #10-05 AUTHORIZING SALE OF LAND WITHOUT PUBLIC AUCTION**

**WHEREAS**, the City of Englewood adopted Ordinance #10-05 which authorized the offer for sale of certain real property owned by the City, without public auction pursuant to N.J.S.A. 40A:12-13(b)(5); and

**WHEREAS**, it was later determined that the said real property was incorrectly identified and described in the said Ordinance; and

**WHEREAS**, in reviewing the underlying materials supporting the adoption of the said Ordinance, including a formal appraisal prepared by McNerney & Associates dated November 13, 2014 (the “Appraisal”), the Governing Body has determined that the parcel intended to be authorized for Sale is a portion of Lot 3.02, Block 2517 and not Lot 1.01 Block 2519, as stated in Ordinance #10-05; and

**WHEREAS**, it is the desire of the Governing Body of the City of Englewood to proceed with the offer of Sale as intended pursuant to Ordinance #10-05 by correcting the identification and the sale price of property to conform to the fair market value of said Property as stated in the Appraisal.

**NOW, THEREFORE, BE IT ORDAINED** that Ordinance #10-05 entitled An Ordinance Authorizing Sale of Land Without Public Auction is hereby amended to replace the description of Land considered and authorized to be offered for Sale therein, from “Lot 1.01 Block 2519” to “A Portion of Lot 3.02 Block 2517”; and

**BE IT FURTHER ORDAINED**, that Ordinance #10-05 is amended to provide that the sale price of the property to be sold is \$47,400.00; and

**BE IT FURTHER ORDAINED**, that except as otherwise provided herein all other terms and conditions of Ordinance #10-05 shall remain in full force and effect and are incorporated herein by reference.

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

**PUBLIC HEARING:**

Council President Hamer declared that the Public Hearing on this ordinance is now open. Anyone who desires to be heard or to ask questions concerning this ordinance will be heard at this time.

- Horace Ragbir, 51 W. Hamilton Ave:
  - Asked why this property is being sold at \$9.92 per square foot when property in that area is valued much higher.  
Mr. Bailey explained that this is an unusable piece of property and this is what it was assessed at by the appraiser. It only be able to sell it to the neighboring property owner.

Council President Hamer closed the public hearing for this ordinance.

**Councilman Forman** made a motion that the Ordinance #16-05 be Adopted.

**Councilman Skurnick** seconded the motion.

**ROLL CALL:**

**Yes:** Council Members Cobb, Forman, Skurnick and Hamer  
(Councilman Cohen is absent for this portion of the meeting.)

Council President Hamer declared the motion carried and the ordinance duly adopted, and that the ordinance be published once, by title only, in the Record.

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At the request of the Council President, the City Clerk read the title of the ordinance:

**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)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the City Council of the City of Englewood in the County of Bergen finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the City Council of the City of Englewood hereby determines that a 3.5% increase in the budget for said year, amounting to \$1,662,364.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the City Council of the City of Englewood hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of Englewood, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the City of Englewood shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$1,662,364.00, and that the CY 2016 municipal budget for the City of Englewood be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**PUBLIC HEARING:**

Council President Hamer declared that the Public Hearing on this ordinance is now open. Anyone who desires to be heard or to ask questions concerning this ordinance will be heard at this time.

- No Comments.

Council President Hamer closed the public hearing for this ordinance.

**Councilman Skurnick** made a motion that the Ordinance #16-06 be Adopted.

**Councilman Cobb** seconded the motion.

\*\*Councilman Cohen arrived for the meeting at this point.

**ROLL CALL:**

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

**No:** Council Member Cohen

Council President Hamer declared the motion carried and the ordinance duly adopted, and that the ordinance be published once, by title only, in the Record.

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**ORDINANCES – INTRODUCTION/FIRST READING:**

- None

**PUBLIC COMMENT ON AGENDA ITEMS:**

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

- No Comments.

Council President Hamer closed the public comment section on the Consent Agenda.

**RESOLUTIONS-CONSENT AGENDA**

- #086-03-22-16 2015 Budget Reserve Transfers
- #087-03-22-16 Refunds Due to State Tax Appeals
- #088-03-22-16 Authorizing Interlocal Services Agreement with Bergen County to Provide for Short Term Emergency Sharing of Fire Apparatus
- #089-03-22-16 Resolution Authorizing Waiver of Downtown Parking Meter Fees During Certain Dates in 2016
- #090-03-22-16 Requesting Permitting the Construction of Six (6) Parking Spaces in the Public Right of Way on or About the Property Located at 41 Honeck Street, Englewood, New Jersey
- #091-03-22-16 Resolution Authorizing the Filing of a Tax Appeal for Block 802, Lot 1.01
- #092-03-22-16 Refund of Tax Overpayment, Block 2605 Lot 3
- #093-03-22-16 Refund of Tax Overpayment, Block 2601, Lot 2.168
- #094-03-22-16 Refund of Tax Overpayment, Block 3404, Lot 19.039
- #095-03-22-16 Place-to-Place Transfer of Plenary Retail Consumption License

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. No requests were made.

A motion was made by **Councilman Skurnick** and seconded by **Councilman Cobb** to approve the Consent Agenda Resolutions.

**ROLL CALL:**

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

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**RESOLUTION #086-03-22-16: 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>
SHADE TREE-O/E	5-01-26-301-XXX		\$4,000.00
COMMUN DEV-O/E	5-01-20-170-XXX	\$4,000.00	
		S/T	<b>\$4,000.00</b>
			<b>\$4,000.00</b>

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 #087-03-22-16: 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 \$50,373.19 for said years due to successful tax court judgments.

<b>OWNER</b>	<b>Block &amp; Lot</b>	<b>Address</b>	<b>Amount</b>
Flatrock 3 LLC	2605 – 2.03 C0118	1118 Riverview Ave.	\$1,039.42 – 2012
Flatrock 3 LLC	2605 – 2.03 C0203	2203 Riverview Ave.	\$2,598.54 – 2012
Flatrock 3 LLC	2605 – 2.03 C0217	2217 Riverview Ave.	\$757.58 – 2012
Flatrock 3 LLC	2605 – 2.03 C0218	2218 Riverview Ave.	\$1,039.42 – 2012
Flatrock 3 LLC	2605 – 2.03 C0232	2232 Riverview Ave.	\$1,318.01 – 2012
Flatrock 3 LLC	2605 – 2.03 C0321	3321 Riverview Ave	\$946.40 – 2012
Flatrock 3 LLC	2605 – 2.03 C0325	3325 Riverview Ave	\$4,677.38 – 2012
Flatrock 3 LLC	2605 – 2.03 C0327	3327 Riverview Ave.	\$1,423.73 – 2012
Fred Kronfeld	2702 – 2.18	42 Lexington Court	\$4,717.64 – 2015
Flatrock 3 LLC	2605 – 2.03 C0420	4420 Riverview Drive	\$533.30 – 2012
Charles & Lynne Klatskin	1402 – 5	340 Highview Road	\$2,790.70 – 2012 \$7,876.86 – 2013 \$7,994.52 - 2014 \$8,061.30 – 2015
379 Cumberland Holdings	3704-3	379 Cumberland St.	\$1,513.45 – 2013 \$1,536.05 – 2014 \$1,548.89 - 2015

**RESOLUTION #088-03-22-16: AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH BERGEN COUNTY TO PROVIDE FOR SHORT TERM EMERGENCY SHARING OF FIRE APPARATUS**

**WHEREAS**, the City of Englewood and the County of Bergen seek to enter into an Interlocal Services Agreement wherein the County of Bergen will provide short term emergency sharing of fire apparatus; and

**WHEREAS**, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipality pursuant to the provisions of the “Interlocal Services Act” N.J.S.A. 40:8A-1 et seq.; and

**WHEREAS**, the governing bodies of the City of Englewood and the County of Bergen recognize that the implementation of an Interlocal Services Agreement to provide for short term emergency sharing of fire apparatus is in the best interest of the taxpayers.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood, hereby authorizes the execution of the Interlocal Services Agreement with the County of Bergen for a period of ten (10) years; and

**BE IT FURTHER RESOLVED**, that the cost of the same shall be as set forth in the agreement, which is attached hereto; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute an Interlocal Services Agreement between the City of Englewood and the County of Bergen for short term emergency sharing of fire apparatus; and

**BE IT FURTHER RESOLVED** that the Agreement shall take effect upon the execution of same and adoption of the resolutions by both parties as provide by law; and

**BE IT FURTHER RESOLVED** that a copy of the Agreement be maintained on file and open to public inspection at the office of the City Clerk.

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**RESOLUTION #089-03-22-16: RESOLUTION AUTHORIZING WAIVER OF DOWNTOWN PARKING METER FEES DURING CERTAIN DATES IN 2016**

**WHEREAS**, the 2016 Chamber of Commerce Annual Sidewalk Sale will be held on July 28<sup>th</sup> through July 30<sup>th</sup>; and

**WHEREAS**, the 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 the Annual Sidewalk Sale and the promotion of Holiday shopping throughout Englewood’s Downtown, to support the merchants, and to encourage shoppers, all downtown parking meter fees will be waived for the following dates:

- Thursday, July 28 through Saturday, July 30, 2016
- Thursday, November 24 through Sunday, November 27, 2016
- Saturday, December 10 through Thursday, December 31, 2016.

**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 Annual Sidewalk Sale and the 2016 Holiday shopping season for the aforementioned dates.

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**RESOLUTION #090-03-22-16: RESOLUTION PERMITTING THE CONSTRUCTION OF SIX (6) PARKING SPACES IN THE PUBLIC RIGHT OF WAY ON OR ABOUT THE PROPERTY LOCATED AT 41 HONECK STREET, ENGLEWOOD, NEW JERSEY**

**WHEREAS**, 41 Honeck Street, LLC appeared before the City of Englewood Planning Board seeking permission to improve a portion of its property to create additional off street parking spaces; and

**WHEREAS**, the improvements proposed include the laying of macadam and installation of drop curbing within the City right of way in front of 41 Honeck Street; and

**WHEREAS**, 41 Honeck Street, LLC's application to the Planning Board was approved subject to the consent of the Englewood City Council to permit the encroachment onto the public right of way subject to certain conditions;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Englewood that 41 Honeck Street, LLC shall be permitted to construct off street parking spaces and curbing and drop curbing within the City right of way in accordance with the plans submitted to and approved by the City of Englewood Planning Board; and be it

**FURTHER RESOLVED** that this consent is subject to 41 Honeck Street, LLC and the City of Englewood entering into an Agreement requiring that the 41 Honeck Street, LLC indemnify and hold the City harmless with respect to the parking spaces constructed within the City's right of way, providing adequate insurance naming the City as an additional insured; and providing that the City reserves the option to require the Applicant, and its successors and assigns to return to the Planning Board on public notice with the possibility of rescinding this approval as set forth in the Planning Board's Resolution dated January 7, 2016; and be it further

**FURTHER RESOLVED** that said Agreement shall be in a form and substance satisfactory to the City Manager and the City Solicitor.

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**RESOLUTION #091-03-22-16: RESOLUTION AUTHORIZING THE FILING OF A TAX APPEAL FOR BLOCK 802, LOT 1.01**

**WHEREAS**, Block 802, Lot 1.01 in the City of Englewood is property owned and operated by Englewood Hospital; and

**WHEREAS**, as a result in part to a State Court Decision relating to the tax exempt status of Hospitals, previously tax exempt hospital properties have now been deemed nonexempt in certain circumstances with respect to the payment of real estate property taxes; and

**WHEREAS**, based on the foregoing it is recommended that the City of Englewood file a tax appeal and/or appropriate filings with the Tax Court of the State of New Jersey with respect to Block 802, Lot 1.01, and such other properties owned and/or operated by Englewood Hospital;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the City of Englewood that the City Solicitor in conjunction with the City of Englewood Tax Assessor is hereby authorized to proceed with a Tax Appeal, and such appropriate legal action with regard to Block 802, Lot 1.01, and any other properties within the City of Englewood as appropriate, which are owned and/or operated by Englewood Hospital.

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**RESOLUTION #092-03-22-16: REFUND OF TAX OVERPAYMENT FOR BLOCK 2605 LOT 3**

**WHEREAS**, it has been determined by the Tax Collector that Block 2605, Lot 3, Qual. C0403 (4403 Riverview Ave.) 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 \$7,184.05 to Investors Bank, 101 Wood Avenue South, Iselin, NJ 08830.

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

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**RESOLUTION #093-03-22-16: REFUND OF TAX OVERPAYMENT FOR BLOCK 2601 LOT 2.168**

**WHEREAS**, it has been determined by the Tax Collector that Block 2601, Lot 2.168 (3401 Windsor Park Court) 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 \$6,752.82 to Richard & Janet Rushton, PO Box 7475, Newport Beach, CA 92658.

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

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**RESOLUTION #094-03-22-16: REFUND OF TAX OVERPAYMENT FOR BLOCK 3404 LOT 19.039**

**WHEREAS**, it has been determined by the Tax Collector that Block 3404, Lot 19.039 (1 Cliff Drive) 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 \$2,068.56 to Evergreen Land Title Services, Inc., 81 E State Route 4, Suite #403, Paramus, NJ 07652.

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

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**RESOLUTION #095-03-22-16: PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE**

**WHEREAS**, an application has been filed for a Place-to-Place Transfer of a Plenary Retail Consumption License Number 0215-33-023-005, heretofore issued to Anthony's Coal Fired Pizza of Englewood LLC, for an inactive license with a mailing address of 45 Eisenhower Drive, Paramus, New Jersey 07652; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood does hereby approve, effective March 23, 2016, the Place-to-Place Transfer of the aforesaid Plenary Retail Consumption License of Anthony's Coal Fired Pizza of Englewood LLC, for an inactive license for premises located at 10 Sterling Blvd., Suite 104, Englewood, New Jersey 07631 and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Anthony's Coal Fired Pizza of Englewood LLC effective March 23, 2016."

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**COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS:**

**Councilman Marc Forman:**

- Spoke about the Recreation Programs being offered during the Spring and Summer Seasons.

**Councilman Michael Cohen:**

- Spoke about the weekly budget meetings.

**Councilman Charles Cobb:**

- Asked everyone to attend the next Budget Meeting scheduled for March 30<sup>th</sup>.
- Invited everyone to attend the Stigma Free Event at Englewood Hospital on March 31<sup>st</sup> at 7:00pm.

### **Councilman Eugene Skurnick:**

- Spoke about the Recreation programs, the budget process, the resolution approved to file a tax appeal against Englewood Hospital, this year's tax increase of \$80.00, surplus replenishment and the City's S&P rating

### **Council President Wayne Hamer:**

- Spoke about the recent bombing in Brussels.
- Regarding the incident at Matlage and Shepard that has caused concern: we are waiting for information from the Bergen County Prosecutor.
- Reported that there will be a presentation at the next Work Session regarding 40 Bennett Road to close the discussion and make a decision as a Council. A Commission to look at a community center will also take place during that meeting.
- Asked the Council members to forward concerns regarding the budget to have a fruitful discussion.
- Reiterated the importance of attending the Stigma Free presentation at Englewood Hospital on March 31<sup>st</sup>.
- Asked the Seniors to participate in the Senior Survey to help understand their needs and how the City can help them.

### **COMMENTS FROM THE CITY MANAGER:**

Mr. Dacey reported on the following:

- The Temporary Certificate of Occupancy was received last Friday for the Firehouse and we began moving in on Monday. Our goal is to move fully into there by next Thursday.
- Traffic light and cross-walk construction is still moving on West Palisade Avenue. Most of the new lights are installed and will run for a couple days of testing. Once in service, the old ones will be taken down.
- In the process of interviewing students for summer recreation positions. We will be taking applications through April 1<sup>st</sup> for jobs for camp counselors, pool attendants, office staff, park/pool/camp maintenance, basketball coaches and lifeguards.
- Coordinating the paving of East Palisades Avenue. The County is coming in July to pave from Grand Avenue up the hill to Englewood Cliffs. The City will be paving between Grand Avenue and Van Brunt Street. The City Engineer is preparing the specs to go out to bid.
- The State is reviewing the introduced budget sent to them and have had some questions regarding it.
- There is a Note Sale tomorrow morning at 11:00am.
- Soccer field assignments were completed this week and everyone has been satisfied.

### **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.

- Shirley Smith, 374 W. Palisade Ave:
  - Expressed concerns that residents from Englewood are not being hired as police officers for the City even though they have applied for positions in the department.
  - Asked for walking patrols on Palisades Avenue.
- Craig Solomon, 163 Rockwood Place:
  - Asked that extra funding be provided to the Recreation Department and to have programs on Sundays and not just Saturdays so that all members of the community can attend.
- Lucy Walker, Washington Place:
  - Concerned that there are no signs on Pendell Ave to indicate there are schools in the area.
  - Asked about the status of the stop sign at Tebnaflly Rpad and Dewey Rd.
  - Concerned that 2 crosswalks were removed on Palisades Ave
  - Concerned that the information gathered in the senior survey is collecting too much private information.

- Howard Schafer, 87 Spring Lane:
  - Stated that the City has a dedicated and hardworking police force and that it is unfair to demonizing them.
  - Asked for a zero percent tax increase this year and asked they take an interest in the school budget.
- Jack Silberman, 320 Murray Ave
  - Asked the Council to make sure the re-development of the property adjacent to Dwight Marrow HS by the School Board is an open process.
  - Asked for help with mosquito issues on Manor Avenue.
- Phil Vogel, 318 Marlboro Rd:
  - Spoke about puddling water and storm sewer controls on Marlboro Road, schedule for street sweeping, the closing of the ice-skating season, and the event attended by the children of the house hockey league .
- Curtis Caviness, 41 E. Forest Ave:
  - Asked who is responsible for the brick pavers on Palisades Avenue and why they are replaced so often.
  - Asked for a report of diversity and a breakdown of race in the City Departments.
  - Suggested that everyone attend Board of Education meetings because 60% of taxes that are collected got to the schools.
- Laura Vogel, 318 Marlboro Road:
  - Spoke about the senior survey and if seniors can also apply for summer jobs.
  - Thanked the City for providing transportation for the hockey game the children attended.
- Tarla Coleman Broadnax, 105 Slocum Ave:
  - Asked for a light-pole at Tenafly Road and Slocum Avenue
  - Stated that the police department is not “gun happy” and they actually talk to everyone but asked that more Englewood residents be hired to the police force and do walking patrols.
  - Asked that they have more Recreation events on Sundays.
- Jehan Barmore, Liberty Road
  - Asked for more diversity among the police department and what is their salary (starting at \$45,000 and topping at \$137,000 after 8 years).
  - Asked that the speed limit on Liberty Road be decreased because of the number of accidents there.
  - Is the presentation at the Workshop for the community center open to the public (yes)

Council President Hamer closed the Public Session.

### **CLOSED SESSION:**

### **RESOLUTION #096-03-22-16: 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, 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.

- ( ) 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 Cobb** seconded by **Councilman Skurnick** to approve.

**ROLL CALL:**

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

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**ADJOURN:**

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

**ROLL CALL:**

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

Meeting was adjourned at 9:24pm.

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Yancy Wazirmas, RMC  
City Clerk