

City of Englewood
City Council Work Shop
Meeting Minutes

June 12, 2012 at 7:30pm

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.

Roll Call: Present: Council member Marc Forman
Council member Michael Cohen
Council member Eugene Skurnick
Council member Lynne Algrant (9:00PM)
Mayor/Council President Frank Huttie III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Jack Drakeford

Council President Huttie 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.

Items for Discussion:

- Workshop Meeting Policies and Procedures:
 - Mayor Huttie spoke about the Workshop and Council Meetings and how the procedures have changed since he became Council President, and that Workshop Meetings are held on a separate day from the Council Meetings and not prior to the Council Meeting as they used to be.
 - Would like the Workshop Meetings to consist of a collaborative discussion, but still follow Robert's Rules of Order.

- Sale of City-Owned Properties:
 - Councilmember's have received the list of recommendations from the City Engineer regarding the Sale of City-owned properties on previous occasions. The Mayor would like the Council members to review the recommendations, visit the properties if possible and/ or speak with Tim Dacey if they have any further questions.
 - Mayor and Council comments:
 - Councilman Skurnick asked if the City intends to sell all of the properties on the list.
 - Councilman Cohen spoke about a homeowner in his Ward who is interested in buying a piece adjoining his property.
 - Ken Albert, City Engineer explained that the few buildable lots can be auctioned off, and the strips of property could be split in half and sold to each of the adjoining homeowners or sell the whole piece to just one if that is the only homeowner interested. If none of the adjoining homeowners are interested in purchasing the strip of land adjoining their property, then the City can retain the property and not sell it.

RESOLUTION # 125-06-12-12

PERSON- TO-PERSON AND PLACE -TO- PLACE TRANSFERS
OF LIMITED RETAIL DISTRIBUTION LICENSE

WHEREAS, an application has been filed for both person-to-person and place-to-place transfers of a Limited Retail Distribution License 0215-43-021-002, heretofore issued to Ventura Walter, for an inactive license with a mailing address of 144 Clay Street, Hackensack ,New Jersey 07601; 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 of Englewood does hereby approve, effective June 12, 2012, the transfer of the aforesaid Limited Retail Distribution License to STA Barbara Grocery 1, LLC trading as Santa Barbara Grocery, 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 STA Barbara Grocery 1, LLC trading as Santa Barbara Grocery and to the premises located at 79 Slocum Avenue, Englewood, New Jersey 07631 effective June 12, 2012."

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

RESOLUTION # 126-06-12-12

RENEWAL OF LIQUOR LICENSES FOR 2012-2013

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

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be conducted during the 2012-2013 license year.

CLUB LICENSE #31

0215-31-032-002	Ideal Lodge 470 IBPOE of the World t/a Ideal Lodge 470	17 Bennett Road
0215-31-037-001	Shiloh Craftsman Club	37 Bennett Road
0215-31-042-001	Congregation Ahavath Torah t/a Congregation Ahavath Torah	240 Broad Avenue

PLENARY RETAIL CONSUMPTION LICENSE W/BROAD PACKAGE PRIVILEGE #32

0215-32-011-006	TSH Wine & Liquors Inc. t/a Oprandy's Wine & Liquor Inc.	14-16 East Hudson Avenue
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PLENARY RETAIL CONSUMPTION LICENSE #33

0215-33-003-010	4 West LLC t/a 4 West Diner	412 S. Van Brunt Street
0215-33-044-002	Bergen Performing Arts Center Inc. t/a Bergen Performing Arts Center Inc. Bergen PAC	30 N. Van Brunt Street
0215-33-020-005	Tapas de Espana II, Inc. t/a Tapas de Espana	47 N. Dean Street
0215-33-045-010	Sotland & Gettenberg LLC t/a Grand Cru Food & Wine	40 N. Van Brunt Street
0215-33-005-009	Parea LLC t/a Nisi	90 Grand Avenue
0215-33-022-010	Smoke Inc t/a Smoke Chophouse	36 Engle Street
0215-33-007-010	Philia LLC (<i>in Pocket</i>)	126 Engle Street

PLENARY RETAIL CONSUMPTION LICENSE (HOTEL/MOTEL EXCEPTION) #36

0215-36-046-005	CP Englewood Inc t/a Crowne Plaza	401 S. Van Brunt Street
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LIMITED RETAIL DISTRIBUTION LICENSE # 43

0215-43-002-006	M Y Deli, Inc.	548 Grand Avenue
0215-43-021-002	Ventura Walter t/a Santa Barbara Grocery	79 Slocum Avenue

PLENARY RETAIL DISTRIBUTION LICENSE #44

0215-44-013-008	SUDHDH LLC t/a Wides Liquors	228-230 W. Englewood Avenue
0215-44-019-004	Jerry's Outlet Inc t/a Jerry's Gourmet & More	410 S. Dean Street
0215-44-015-011	Shreenathji Krupa Inc. t/a Beverage Barn	70 Grand Avenue
0215-44-004-007	Gettenberg Wellisch LLC t/a Englewood Wine Merchants	3 E. Palisade Ave

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

RESOLUTION #127-06-12-12

AWARD CONTRACT TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR 500 LIBERTY ROAD

WHEREAS, the City of Englewood is desirous of contracting with a vendor to provide Landscape Architecture Services for 500 Liberty Road; and

WHEREAS, one (1) proposal was received, and the City Manager and the City Engineer has recommended that Paul Keyes Associates located at 111 North Summit Street, Tenafly, New Jersey 07670 be engaged pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

WHEREAS, the City Manager has determined that the value of this contract for service rendered by Paul Keyes Associates will not exceed \$6,840.00 in the 2012 operating year.

WHEREAS, Paul Keyes 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, the Chief Financial Officer has certified that sufficient funds are available in Account #C-04-12-015-000-007(g) to award this contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a contract is hereby awarded to Paul Keyes Associates to provide Landscape Architecture Services for 500 Liberty Road, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Paul Keyes Associates to provide the scope of work in the attached proposal;

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.

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

<i>Cohen</i>		X			
<i>Drakeford</i>					X

RESOLUTION #128-06-12-12

A RESOLUTION AUTHORIZING THE CITY OF ENGLEWOOD TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Cranford Police Cooperative Pricing System (ID # 47-CPCPS), hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on June 12, 2012 the governing body of the City of Englewood, County of Bergen, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Englewood that this Resolution shall be known and may be cited as the Cooperative Pricing Resolution of the City of Englewood,

BE IT FURTHER RESOLVED pursuant to the provisions of N. J.S.A. 40A:11-11(5), that the City Manager is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

BE IT FURTHER RESOLVED that the Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

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

RESOLUTION #129-06-12-12

AUTHORIZING AWARD OF CONTRACT FOR NORDHOFF EXTENSION AND TRAFFIC SIGNAL

WHEREAS, sealed bids were received on May 9, 2012 for Nordhoff Extension and Traffic Signal Project #110312 in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from five (5) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by Zuccaro, Inc., 248 Alberta Drive, Saddle Brook, New Jersey 07663 for the sum of \$1,035,983.00 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, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Zuccaro, 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 Zuccaro, Inc. for Nordhoff Extension and Traffic Signal Project #110312 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.

Funding for this project is available from the following sources:

- Ordinance 03-15(a&b)
- In addition to the above referenced Ordinance, ERA is obligated to reimburse the City in the amount of \$200,000.00 for the drainage improvements. This obligation is part of their amended site plan approval.

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

RESOLUTION #130-06-12-12

**AUTHORIZING AWARD OF CONTRACT FOR
QUARRY POND DREDGING PROJECT**

WHEREAS, sealed bids were received on May 31, 2012 for the Quarry Pond Dredging Project in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from four (4) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by Gallen Contracting, Inc., 510 Hudson Street, Hackensack, New Jersey 07601 for the sum of \$186,682.00 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, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Gallen Contracting, 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 Gallen Contracting, Inc. for the Quarry Pond Dredging Project 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.

Funding for this project is available from the following source(s):

- Ordinance 12-15(d)

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

Resolutions for Discussion:

- Authorizing Award Of Contract For Elevator Sub-Code Inspections By An On-Site Agency:
 - Bill Bailey explained that there were two bids received, one of which was not compliant. This contract can be awarded on June 19, 2012.
- Authorization to Prepare and Issue 2012 Estimated Tax Bills:
 - Tim Dacey explained that Estimated Tax Bills are needed because the County's Budget has not been certified and the State Budget will not be adopted until June 30, 2012.
 - Mayor and Council comments:
 - Councilman Skurnick asked that the Estimated Tax Bills be written more clearly than last year's estimated bills were so they are not so confusing to the taxpayers.
- Authorizing Award of Contract to Parkmobile, USA, Inc.:
 - Mr. Dacey introduced Dennis Marco and Henry Savelli of Parkmobile USA, Inc. who are here to answer any questions from their May 8th presentation.
 - Mayor and Council comments:
 - Councilman Forman asked:
 - What percentage of usage have they seen in other towns the size of Englewood. 7-8% initial usage with 20-25% increase in growth per year.

- How is the service promoted? *With ribbon cuttings, PR, and work with the local merchants to spread the word.*
 - Could an incentive be used to promote the downloading of the app? *Yes, they have used a "download the app and get 1 month free (no transaction fees).*
- Resolution Authorizing Waiver of Downtown Parking Meter Fees During the Annual Sidewalk Sale:
 - Mr. Dacey explained that this was in response to requests from the local merchants, and this has been done in the past.
 - Mayor and Council comments:
 - Councilman Skurnick has attended 43 years of sidewalk sales and feels that we need to encourage more attendees, and not be so dependent upon the pop-up merchants.
 - Mayor Huttle would prefer that the sidewalk sale be limited to Englewood merchants and not pop-ups.
- Authorizing Interlocal Services Agreement with Paramus for Vehicle Repairs:
 - Mr. Dacey explained that this Interlocal Services was originally just for Fire Truck Repairs, but due to their reasonable rates we would like to include DPW vehicles as well.

Ordinances for Discussion:

- Bond Ordinance for Capital Improvements:
 - Ken Albert, City Engineer reviewed the Phase II Capital Projects for the Mayor and Council.
 - Mayor and Council comments:
 - Councilman Forman concerned that the arm for the one man garbage trucks will be too high for some electrical lines in the City.
 - Mayor Huttle asked Mr. Dacey to provide a detailed financial cost of the proposed one-man garbage trucks along with projected cost savings.
 - Councilman Skurnick said that he did not recall voting to go ahead with the Fire House project, and asked for a package on information on this project.
 - Mayor Huttle would like the Fire House to be a separate topic for a future Workshop meeting because it is an important issue.
 - Ken Albert discussed the environmental remediation of the Fire House and Lincoln School properties. He confirmed the Mayor's inquiry if the City does have an environmental assessment.
 - Councilman Cohen asked if the initial estimate of the Fire House (\$9.4 million dollars) has since dropped.
 - Mr. Dacey explained that the Capital Budget Phase II includes money for an architect to do design work on the Fire House, and that this would enable the City to get some final numbers on the project.
 - Mayor Huttle would like the architect to meet with the Mayor and Council to discuss the site of the Fire House and the design. Also spoke about phasing the project.
 - Councilman Skurnick would like to see what the Fire Chief and the Fire Fighters want in a new Fire House.
 - Mr. Albert will put together a chronological time line of the Fire House project for the Mayor and Council to review.
 - Mr. Dacey also spoke about the need to update the 40 year old traffic signal controllers in the City.
 - Councilwoman Algrant asked if we missed an opportunity for Federal and State grant money for the replacement of the traffic signal controllers.
 - Mr. Albert explained that Federal and State money dried up 6 years ago. New traffic signal controllers will allow the City to better control the flow of traffic and capacity especially in regard to the railroad.
- Unclassified Salary Ordinance:
 - Mr. Dacey explained that Councilman Drakeford had brought this up during the Budget discussions.
 - This proposed Ordinance would bring all salaries within the Ordinance and correct salaries that had risen above the old ordinance.
 - Mayor and Council comments:
 - Councilman Skurnick asked if money, and how much was put into the Budget for raises for the Unclassified employees. Mr. Dacey explained that money is in the Budget and it will be discussed further in Closed Session.
- James Street:
 - Mayor Huttle gave an overview of the project's history; the proposal is for eight (8) dwelling units on the East side and three (3) dwelling units on the West side for eleven (11) total dwelling units. Explained that the Council received a Discussion Draft of an Ordinance to use as a thinking plan.
 - Bill Bailey explained that the Palisade Court area in the 1980's was declared an Area in Need of Redevelopment and the City is the Redevelopment Agency.
 - The City as the Redevelopment Agency can draft a Redevelopment Plan which would outline what the City would like to see there and the agreement will be composed by the Mayor and Council.
 - Then an Ordinance would be introduced, which would be sent to the Planning Board for their review and recommendation. Planning Board would then send their recommendations back to the Mayor and Council.

- If no changes are to be made in the Ordinance that was originally introduced then the Public Hearing and Second Reading would be scheduled and all property owners within 200 feet would be notified as required by law. If changes are made in an amended Ordinance would be introduced.
 - Once the Ordinance is adopted then the project would go before the Planning Board.
- Mayor Huttle asked where the Council stands on the current proposal for James Street.
- Councilwoman Algrant spoke about the evolution of the project from what it was to the current configuration of single family homes with adequate lot sizes. She does prefer smaller houses that would appeal to childless couples.
- Councilman Forman said that a number of details have already been agreed upon and the design and size of the houses can be discussed in a reasonable manner and negotiated because they can be a benefit to the neighborhood and the City as a whole.
- Councilman Skurnick is pleased with Michael Kates' memo and the process being laid out. Agreed that ShopRite needs to be expanded and improved. The buffer zones are important and have to be included in the Redevelopment Agreement. Would also like a financial report categorizing the tax revenue increase for ShopRite, new homes, and the tax burden of additional school children. Parking needs to be looked at and actual numbers that will be needed.
- Mayor Huttle posed a question; is the Council agreeable to the proposed eleven (11) single family homes? The consensus of the Council is that they are. The Mayor then asked Mr. Bailey what is the next step. Mr. Bailey explained that the next question is the 22,000 square foot addition being proposed by ShopRite. The Mayor asked the Council if they are opposed to the expansion of ShopRite. The consensus of the Council is that they are not opposed.
- Councilman Skurnick said that he is in favor of the expansion of ShopRite but not necessarily the process. Would like more details from ShopRite as to their plans. Is this a question that is more appropriate for the Planning Board?
- Mayor Huttle explained that those are questions for the Planning Board, and that the Redevelopment Agreement gives the city the opportunity to guide the project as to what the City wants to see there.
- Councilwoman Algrant asked what the next step is; the next step is to negotiate the Redevelopment Agreement with the Developer.

Public Session:

- Adam Brown 186 Elm Road:
 - City needs to figure out what it wants on James Street. Planners working on the Master plan can assist with this and not just on James Street but for that whole quadrant.
 - The EEDC has two priorities; making the Parking Garage profitable and the signalization of traffic lights. The biggest problem in Downtown is the employees feeding the meters and he would also like the City employees to park in the parking garage.
 - Visited Montclair to see Parkmobile and feels that there did not do a large enough marketing push there and Englewood needs to do more.
- Willa Cherot 127 W. Demarest Avenue:
 - Spoke about the Third Street Community Garden and the recent sewer line break. Wanted to know why the Council was not informed, and she was told that a 4foot deep hole was left open for twenty days and sewerage was pumped into the brook. *Mr. Dacey explained that the sewer line was broken when they were putting in a water line, everything was repaired and a new pipe was installed in less than a week and no sewage was pumped into the brook. The DPW put down lime to contain the spill.*
- Phil Vogel 318 Marlboro Road:
 - The traffic light by Park and Engle should not be operating when the Post Office is closed.
 - Asked if the Parkmobile system will need new or retrofitted parking meters.
 - Thinks that the one-man garbage trucks are a great idea but concerned with utility wires.
 - City needs to better enforce the recycling laws.
- Sandy Greenberg 449 Liberty Road:
 - Agrees with previous speaker that the City needs to enforce recycling laws. Asked if recycling rules and garbage pickup dates could be included in the tax bills.
 - Could the leftover money from Quarry Pond be used to dredge Millers Pond?
 - Wants the City to speak with Hackensack regarding their experience with the one-man garbage trucks.
 - James Street is now at the point where we can start talking about the actual project, and if Mr. Glass agrees can both sides of the street be included in the Redevelopment Agreement (*Mr. Bailey said that it may be done but there might be legal issues*). Asked who will negotiate the James Street (*City Manager, Michael Kates, Bill Bailey and the other sides' attorney*). The buffer zone for James Street needs to be big enough for trees to screen the parking lot. The loading bays should utilize islands to make them more attractive.
 - Read the 17 items on the handout she prepared.
- Laura Vogel 318 Marlboro Road:
 - Asked where the buffer zone would be located on the homeowner's property or ShopRite's. She would prefer on the homeowners property because they will water the trees.

- Spoke about traffic and transportation issues; Ivy Lane is a through Street and when the road is closed traffic is diverted to Manor and Marlboro roads which cannot handle the additional traffic. Could the traffic be redirected to Hudson via a detour?
- Would like to see bike racks on Palisade Avenue.
- NJ Transit buses only travel to the 3rd Ward during rush hours can that be changed (*Mr. Dacey explained that is a question for NJ Transit*).
- Should residents still separate recycling or not.
- Jack Silverman 320 Murray Avenue:
 - Shared driveways should be considered for James Street.
 - Could the City offer the garbage cans for the one man garbage trucks in various sizes so people can chose a smaller can if they want.
 - Asked for a clarification of single stream recycling; single stream includes everything (paper, foil, plastic and glass).
 - Asked if the City has someone to check on lawns being cut and houses repainted.
- William Rupp, Esq. Hackensack, NJ:
 - Representing Sandy Greenberg et al.
 - Would like to add items for discussion to the list for James Street:
 - Phasing or staging of construction of the residential and commercial properties.
 - Time limits
 - Performance guarantees
 - Remedies should be put in place in case of default
- Leonardo Acosta 81 Charles Street:
 - Glad to finally be seeing the light at the end of the tunnel with James Street and thanked the City.
 - Wants the City to take pride and build what will benefit the town and its citizens.
 - Asked who gave Mr. Glass permission to cut trees.
 - James Street parking lot needs to be cleaned.
- Helen Kiphaut 99 Charles Street:
 - Asked if anyone has investigated the developer's ability to finance the James Street/ ShopRite project.
 - Does not think that it is a good idea to be cheap with the Fire Department, and that it should be kept separate from the Public Safety Complex in case of a bomb.
 - Very glad that Englewood and Teaneck chose not to put commercial development on Route 4.
 - Would like to see two bedroom houses on James Street for less traffic impact.
- Catherine Koreh 83 Grove Street:
 - James Street has deteriorated and there is a lot of litter on the ShopRite side of the road. Who is responsible for cleaning it up? Also there is garbage in front of the apartment house on John Street.
 - Supports single family homes on James Street in the Victorian style. Would be a boost on James Street.

Councilman Skurnick read a prepared statement which included the following topics: Open Public Meetings Act and Rice Notices. A copy of the statement is on file in the City Clerk's office.

Bill Bailey commented that he was only going to provide legal advice to the governing body and was not adversely speaking about anyone.

RESOLUTION #131-06-12-12

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 and Personnel

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.
- (X) Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.
- () Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that, although it is not envisioned that the Council will return to open session after this meeting, the Council reserves the right to do so upon conclusion of the closed session.

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

ADJOURN: 12:20AM
 Motion: Forman
 All in Favor

Lauren Vande Vaarst, RMC
 City Clerk