

City of Englewood  
City Council Meeting Minutes  
November 26, 2013

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

Roll Call:

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

President Huttle called the meeting to order.

The City Clerk stated that adequate notice of this meeting was given by the posting, filing and distribution of the notice as required by the Open Public Meetings Act.

Presentation of Awards

“Walk to Win” Competition presented by Anthony Ven Graitis

The Garden State Municipal Joint Insurance Fund (GSMJIF) decided to host this program due to a 2007 Duke University Study that summarized the compensation claims of 35,000 workers and the study showed a direct correlation between the obesity epidemic and workman's compensation claims.

Obese workers received 7 times the workman's compensation claims costs as compared to an average weight employee, 11 times the indemnity costs and 13 times the amount of lost work days due to obesity issues. The GSMJIF's Risk Control Department undertook “Walk to Win” as its first wellness initiative with its 32 member municipalities.

Over 135 teams (5 members per each) with approximately 700 employees from 15 municipalities participated and a total of 165 million steps were taken which equates to 73,000 miles, or 3 times around the earth, or 1/3 of the way to the moon.

Thanked the City of Englewood, especially City Manager Timothy Dacey and Human Resources Director Arielle Saposh, for their active roles in promoting this program and insuring its success with the City of Englewood employees.

Englewood had 5 teams enter and 4 of the 5 were in the top 10

**“Fire Walkers”** – #2 in JIF, #1 in Englewood

Doug Wilson  
Tom Dypko  
Jeff Kaplan  
Willie Loaiza  
Joseph Sorbanelli

**“Walker's Anonymous”** – #8 in JIF, #3 in Englewood

Arielle Greenbaum Saposh  
Louis Scriven  
Timothy Dacey  
Ken Albert  
Renee Wilson

**“Walk Busters”** – #7 in JIF, #2 in Englewood

Jessie Coward  
Jennie Cisco  
Jo Galluzzo  
Ramon Rodriguez  
James LeClercq

**“Left, Right, Left”** – #9 in JIF

Jim Fedorko  
Valarie Buchta  
Lismary Espinal  
Bea Reynolds

**“Finance Fancy Feet”** – also participated but didn't win

Aretha Dolphy  
Jodie DeMaio  
Ronald Amorino  
Kimberly Anderson  
Maria Hill

**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 \$7,083,458.11.

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

Communications from the Mayor/Council Member

Comments from the City Manager:

- Leaf collection is on schedule.
- DPW has been cleaning up the Arena for the past 2 weeks. The floor is ready for the ice to be put down, Ken Katz and Eric Davis will handle the repair of the compressor motors, the new flooring is scheduled to be installed in early December and if the Screening contract is approved then that will be installed in mid-December. Shooting for a December 20<sup>th</sup> very soft opening and official grand opening will be in early January.
- New elevator cab is currently being installed at City Hall.
- RSC Architects are finalizing the Firehouse plans and will present them to the Council at the December 3<sup>rd</sup> Workshop Meeting.
- There will be a preliminary Budget Presentation at the December 10<sup>th</sup> Workshop Meeting.
- Oral interviews have been completed for 36 firefighter candidates and they are a good and diverse group, a 3 year list will be compiled from the candidates.
- The Recreation Department Winter Schedule and the John T. Wright Arena Schedule are being finalized.

ORDINANCE #13-15

**BOND ORDINANCE APPROPRIATING \$636,000 FOR A SUPPLEMENTAL APPROPRIATION FOR OVERPECK CREEK CHANNEL WALL REPLACEMENT-PHASE II AND AUTHORIZING THE ISSUANCE OF \$604,200 OF BONDS AND/OR BOND ANTICIPATION NOTES FOR SAID IMPROVEMENTS, AUTHORIZED TO BE UNDERTAKEN IN AND BY THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement and purpose described in Section 3 of this Bond Ordinance are hereby authorized as a capital improvement to be made or acquired by the City of Englewood, County of Bergen, New Jersey (hereinafter referred to as the "City"). For said improvement or purpose stated in Section 3 hereof, there is hereby appropriated, as a supplemental appropriation, the sum of \$636,000. A down payment of \$31,800 is herein appropriated from the capital improvement fund or other funds of the City as the downpayment for the purposes or improvements authorized herein, in accordance with the provisions of the Local Bond Law (N.J.S.A.40A:2-1 *et seq.*, hereinafter the "Law").

Section 2. For the financing of said obligations and to meet the part of said \$636,000 appropriation not otherwise provided for hereunder, negotiable bonds of the City are hereby authorized to be issued in a principal amount not to exceed \$604,200 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds, negotiable bond anticipation notes in the principal amount not to exceed \$604,200 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law. In the event that bonds are issued pursuant to this Ordinance, the aggregate amount of bond anticipation notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and bond anticipation notes issued pursuant to this ordinance shall at any time exceed \$604,200, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such bond anticipation notes then outstanding, at maturity. Each bond anticipation note issued pursuant to this ordinance shall be dated on or

about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed and shall be under the seal of said City and attested as permitted by law. The appropriate City officers are hereby authorized to execute said bond anticipation notes and to issue said notes in such form as may be adopted in conformity with law. The power to determine all matters in connection with this ordinance and also the power to sell said bond anticipation notes, is hereby delegated to the Chief Financial Officer of the City (the "Financial Officer"), who is hereby authorized to sell said bond anticipation notes either at one time or from time to time in the manner provided by law and the Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. The Financial Officer is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of bond anticipation notes pursuant to this ordinance is made, such report to include the principal amount, description, interest rate and maturity of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 3. The improvement hereby authorized and the purpose for which said obligations are to be issued is as follows:

Improvements/Purposes	Estimated Cost	Downpayment (Capital Improvement Fund)	Bonds or Notes Authorized	Useful Life (Years)
Supplemental appropriation for Overpeck Creek Channel Wall Replacement-Phase II, including all costs, improvements, equipment and/or appurtenances necessary therefore and related thereto.	\$636,000	\$31,800	\$604,200	15

Section 4. The following additional matters are hereby determined, declared, recited and stated:

- (a) The purpose described in Section 3 of this bond ordinance is not a current expense and is property or an improvement which the City may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of said purpose is within the limitations of the Local Bond Law taking into consideration the amount of obligations authorized by this bond ordinance, the period of usefulness is 15 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the City Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such Statement shows that the gross debt of the City determined as provided in said Law is increased by this bond ordinance by \$604,200 and obligations authorized and/or hereunder will be within all debt limitations prescribed by said Law.
- (d) Amounts not exceeding \$125,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed and permitted under N.J.S.A. 40A:2-20 of the Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimates thereof.

Section 5. Any grant or other moneys received for the purpose described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvement, obligation or acquisition or to payment of the obligation issued pursuant to this ordinance and the amount of the obligations authorized herein for such purpose shall be reduced accordingly.

Section 6. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and, unless paid from other revenues of the City, the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board of the State of New Jersey, Department of Community Affairs, showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services, is on file with the City Clerk and is available there for public inspection.

Section 8. The City reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 of this ordinance and paid prior to the issuance of any bonds or notes authorized by this ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.150-2(e), and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section 1.148-10 to avoid, in

whole or in part, arbitrage yield restrictions or arbitrage rebate requirements.

Section 9. To the extent that any previous ordinance or resolution is inconsistent with or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. The provisions of this ordinance are severable. To the extent any clause, phrase, sentence, paragraph or provision of this ordinance shall be declared invalid, illegal, or unconstitutional, the remaining provisions shall continue in full force and effect.

Section 11. This Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

FIRST READING DATE: November 26, 2013

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

ORDINANCE #13-16 Tabled until December 3, 2013 Council Workshop

**AN ORDINANCE AMENDING CHAPTER 311 PEDDLING, SOLICITING AND TRANSIENT MERCHANTS, ARTICLE I PEDDLING AND SOLICITING, SECTION 311-1 THROUGH 311-12 OF THE CODE OF THE CITY OF ENGLEWOOD**

**WHEREAS**, the City of Englewood encourages the growth of mobile retail food vendors within the City of Englewood while regulating the side effects of this growing industry, such as parking, traffic and waste disposal; and

**WHEREAS**, this chapter seeks to regulate mobile retail food vendors through the annual issuance of licenses and permits. This chapter will assist the City with keeping record of mobile retail food vendor business within the City. License and permit fees will cover the cost of enforcement and administrative duties; and

**WHEREAS**, this chapter limits the proximity of mobile food trucks to brick-and-mortar restaurants to secure safe and adequately spaced sidewalks in case of a fire, flood, and other natural or man-made disaster; and

**WHEREAS**, this chapter seeks to limit the interaction between uses which are incompatible in character. While serving similar purposes, mobile food trucks and brick-and-mortar restaurants function separately and are not complimentary in nature.

**WHEREAS**, this chapter seeks to protect the character of stable commercial areas and to provide sufficient space in appropriate locations for each use. The City seeks to locate mobile food trucks in areas to better serve mobile populations. The City seeks to promote a desirable visual environment through limiting the interaction of each respective use.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Englewood:

Section 1. Scope.

The provisions of this chapter shall apply to mobile food operations engaged in the business of cooking, preparing, and/or distributing food or beverage from mobile retail food vendors on private property within the City of Englewood.

Section 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated: **MOBILE RETAIL FOOD VENDOR** Any movable restaurant or retail food establishment in or on which food and beverage are transported, stored, or prepared for retail sale or given away at temporary locations. The term "mobile retail vendor" shall include and incorporate the term "mobile retail food vendors," as defined in Chapter 13 of the Englewood Health Code. Only the following mobile units shall be allowed within the City limits for use as a mobile retail food vendor, none of which shall exceed 35 feet in length:

A. **MOBILE RETAIL MOTORIZED FOOD VENDOR** — A food establishment that is located upon a motorized vehicle where food or beverage is cooked, prepared and served for individual portion service. Such food vendors comply with this chapter and all requirements of this chapter, as well as any other applicable section of this Code. Shall also be known as "mobile retail food vendors".

B. **MOBILE RETAIL PRE-PACKAGED FOOD VENDORS** — A food establishment that is located upon a motorized vehicle where pre-packaged food or beverage is served for individual portion service. Mobile retail pre-packaged food vendors shall be subject to Chapter 311, and shall be exempt from the regulations of this chapter.

Section 3. Hours of operation.

A. Sunday through Saturday, mobile retail food vendors shall operate between the hours of 7:00 a.m. and 6:00 p.m.

Section 4. Transfer of license and/or permit prohibited; exceptions.

A. No person holding a mobile retail food vendor license and/or permit shall sell, lend, lease or in any manner transfer any interest in a mobile retail food vendor license and/or permit.

Section 5. Location and Conditions.

Mobile Food Vendors shall only be permitted in the following location:  
The office/industrial zone south of Route 4 on private property. There shall be no mobile food vendors parked on public property or streets. There shall be no more than one mobile food vendor permitted on any property at any time.

Section 6. Operation.

A. Any mobile retail food vendor being operated without a valid mobile retail food vendor license and/or permit shall be deemed a public safety hazard and may be ticketed and impounded.

B. Mobile vendor licensees shall be required to display the mobile retail vendor license and/or permit prominently when located in a permitted location. Being the lawful holder of a City of Englewood mobile vendor license and/or permit shall not be a valid defense to a citation for failure to prominently display the license in violation of this chapter.

Section 7. Enforcement.

Unless otherwise specified herein, this chapter shall be enforced by any Code Enforcement Officer, Parking Enforcement Officer, the Englewood Police Department, and/or the Health Officer.

Section 8. License fees and parking permits.

A. Mobile retail motorized food vendor business license. The application fee for a license or any renewal of a license granted by the City shall be \$100. The cost of the annual Health Certificate shall be included in this fee. The application shall include the proposed location(s) at which the applicant seeks to operate as well as the written consent of the property owners. Only one permit shall be issued per property (i.e. Block and Lot).

B. Mobile retail motorized food vendor parking permit. Mobile retail motorized food vendors operating within the City of Englewood are required to purchase an annual permit. Permits are available as follows:

Time Length (weekly)	Annual Amount
7 days	\$250

(1) The permit shall be renewable on an annual basis.

Section 9. Supplemental regulations.

A. Mobile retail food vendors shall not exceed 35 feet;

B. Mobile retail food vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.

C. The City reserves the right to temporarily move any mobile retail food vendor to a nearby location for emergency purposes as determined in the sole discretion of the City.

D. All licensees and permittees shall comply with all applicable state statutes, all applicable City of Englewood ordinances, and any other law or regulation which may be applicable under the given circumstances.

E. Mobile retail food vendors shall comply with all ordinances, laws and regulations relating to noise in effect by the City of Englewood (Editor's Note: See Ch. 133, Noise Control).

Section 10. Violations and penalties.

Unless otherwise specified herein, any person violating any provision of this chapter shall, upon conviction thereof before the Municipal Court, be subject to a fine not exceeding \$1,000 or imprisonment for a period not exceeding 90 days, or both. The amount of such fine and/or imprisonment shall be determined by the sound discretion of the Municipal Judge. In addition to the aforementioned penalties, and as provided for herein, violations of this chapter may subject the license to suspension or revocation as provided for herein.

Mayor and Council comments on Ordinance 13-16:

- Councilman Skurnick made a Motion to amend Section 8 of Ordinance #13-16 to delete the following; "~~as well as the written consent of the property owners~~"

- Bill Bailey explained that no State law requires written consent and it does not have to be included but it was put into the ordinance in case a private property owner does want a vendor located on their property. He is concerned that the governing body is putting an approval on something that someone else might not want.
- Councilwoman Algrant questioned how the City can issue a permit for a Block and Lot, should we just give a permit for a zone where they can be located and not a specific spot.
- Councilman Cohen does not want a proliferation of food trucks in the industrial area. Could we require that vendors show they made a "good faith effort" to secure written consent of the property owner?
- Mayor Huttle asked that the Council send their written comments to the City Attorney so this ordinance can have its First Reading/Introduction on December 3 and Second Reading/ Public Hearing on December 17, 2013.
- Councilman Skurnick would also like the following struck from Section 5; ~~"There shall be no more than one mobile food vendor permitted on any property at any time."~~
- Councilwoman Algrant will send her comments in writing.
- Mayor Huttle commented that this ordinance has been circulation for a month and no comments were received.
- Councilman Skurnick withdrew his motion and the ordinance was tabled until the December 3, 2013 Workshop meeting.

### Public Comment on Agenda Items:

- Curtis Caviness 41 E. Forest Avenue:
  - Spoke about resolution #224 and asked if the screening at the arena is in compliance with the Green Acres.
  - Is in agreement with Councilwoman Algrant in that more conversation is needed in regard to the installation of security cameras on Palisade Avenue (#241). City needs to look at impact of cameras that currently exist and asked about forfeiture funds account.
- Lucy Walker 363 Washington Place:
  - Spoke about Mayor and Council comments about security cameras on Palisade Avenue from earlier meetings (#241) and asked if money can be used for other things.
- Elle Kelly 350 Shepard Avenue:
  - Asked if Mayor and Council took into account people in the Witness Protection program and illegal aliens in regard to the security cameras on Palisade Avenue (#241). Police Chief Artie O'Keefe and Asher Forst, IT consultant answered questions.
- James Dunn, President of the Englewood Chamber of Commerce:
  - Spoke on behalf of the Englewood Chamber of Commerce and its members support of the security cameras on Palisade Avenue (#241).

RESOLUTION #224-11-26-13

### **AUTHORIZING AWARD OF CONTRACT FOR WRIGHT ARENA SCREENING, PROJECT NO. 111331**

**WHEREAS**, on November 12, 2013 the City Council of the City of Englewood adopted Resolution #218-11-12-13 which allowed the City to reject bids submitted for the Wright Arena Screening, Project No. 111331 and the project be negotiated in accordance with specifications therefore pursuant to law; and

**WHEREAS**, the negotiated price submitted by Awning Masters, 421 5<sup>th</sup> Avenue, Paterson, New Jersey 07514 for the sum of \$67,416 for the new fabric installation and \$4,664 for the demolition and removal of the existing screening for a total of \$72,080 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**, the Chief Financial Officer has certified that sufficient funds are available to award this contract;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood that the bid submitted by Awning Masters, 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 Awning Masters, for the Wright Arena Screening, Project No. 111331 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 13-11A

<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>Hamer</i>		X			

RESOLUTION #225-11-26-13

**AUTHORIZING AWARD OF CONTRACT FOR  
WRIGHT ARENA FLOORING REPLACEMENT, PROJECT NO. 111332- BASE BID**

**WHEREAS**, sealed bids were received on November 7, 2013 for the Wright Arena Flooring Replacement, Project No. 111332 – Base Bid in accordance with specifications therefore and following public advertisement; and

**WHEREAS**, specifications were sent and responsible bids were received from three (3) bidders listed on the attached Bid Summary Sheet; and

**WHEREAS**, the base bid submitted by North Eastern Hardwood Floors, 447 Commerce Lane, Unit A, West Berlin New Jersey 08091 for the sum of \$62,248.00 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**, the Chief Financial Officer has certified that sufficient funds are available to award this contract;

**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 North Eastern Hardwood Floors, 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 North Eastern Hardwood Floors, for the Wright Arena Flooring Replacement, Project No. 111332 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 13-11A

<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>Hamer</i>		X			

RESOLUTION #226-11-26-13

**REFUNDS DUE TO COUNTY BOARD OF TAXATION APPEALS**

**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 \$5,075.38 for said years due to successful judgments.

<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			

<b>Skurnick</b>		X			
<b>Cohen</b>		X			
<b>Hamer</b>		X			

RESOLUTION #227-11-26-13

**REFUND DUE TO TAX OVERPAYMENT**

**WHEREAS**, it has been determined by the Tax Collector that Block 1703, Lot 17 is entitled to a tax overpayment refund due to a double payment, and;

**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 \$ 6,967.79 to New Dawn Title Agency, LLC, 900 N. King Highway. Suite 305, Cherry Hill, NJ 08034.

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

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>	X	X			
<b>Forman</b>		X			
<b>Skurnick</b>		X			
<b>Cohen</b>		X			
<b>Hamer</b>		X			

RESOLUTION #228-11-26-13

**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 \$70,791.96 for said years due to successful tax court judgments.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>	X	X			
<b>Forman</b>		X			
<b>Skurnick</b>		X			
<b>Cohen</b>		X			
<b>Hamer</b>		X			

RESOLUTION #229-11-26-13

**AUTHORIZE FLAT ROCK BROOK NATURE ASSOCIATION  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$11,000 has been proposed by Flat Rock Brook Nature Association to continue its collaboration with the Englewood Public School District by offering *Bridges to Flat Rock Brook* environmental education program; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #230-11-26-13

**AUTHORIZE AMERICAN LEGION, HENRY DOUGLAS POST #58**  
**APPLICATION FOR BERGEN COUNTY**  
**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$28,000 has been proposed by American Legion, Henry Douglas Post #58 to construct an accessible bathroom with an ejector pump in the basement of their facility located at 151 W. Forest Avenue in the City of Englewood in order to be compliant with ADA requirements; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #231-11-26-13

**AUTHORIZE CENTER FOR FOOD ACTION IN NJ**  
**APPLICATION FOR BERGEN COUNTY**  
**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$50,000 has been proposed by the Center for Food Action in NJ for assistance with staff salaries for Emergency Services that include emergency food packages, homelessness prevention assistance, advocacy and referral services to low-income people in Bergen County; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite

expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #232-11-26-13

**CONFIRM ENDORSEMENT OF CENTER FOR FOOD ACTION IN NJ**  
**APPLICATION FOR BERGEN COUNTY**  
**HOME INVESTMENT PARTNERSHIPS-**  
**SECURITY DEPOSIT ASSISTANCE PROGRAM**

**WHEREAS**, a Bergen County HOME Investment Partnerships application of \$80,000 has been proposed by The Center for Food Action in NJ for Security Deposit Assistance in the municipalities of Englewood and six other Bergen County towns; and

**WHEREAS**, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid HOME application;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Division of Community Development so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #233-11-26-13

**AUTHORIZE CALVARY CARES CDC, INC.**  
**APPLICATION FOR BERGEN COUNTY**  
**COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$20,585 has been proposed by the Calvary Cares Community Development Corporation, Inc. of Englewood for Smart Kids After School Program in the City of Englewood; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community

Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #234-11-26-13

**AUTHORIZE INFANT-SENIOR SHARING PROJECT, INC.  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$75,000 has been proposed by the Infant-Senior Sharing Project, Inc. Administrative Costs for the Infant-Toddler Day Care Center; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #235-11-26-13

**AUTHORIZE URBAN LEAGUE FOR BERGEN COUNTY  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$125,000 has been proposed by the Urban League for Bergen County located at 40 North Van Brunt Street in Englewood for operating expenses for Housing Department programs including Home Buyer Education/Pre-purchase Counseling and Loan Default/Mortgage Delinquency/Loss Mitigation Mediation Program; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #236-11-26-13

**AUTHORIZE WOMEN'S RIGHTS INFORMATION CENTER  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR  
SHARED HOUSING PROGRAM**

**WHEREAS**, a Bergen County Community Development grant of \$59,875 has been proposed by Women's Rights Information Center for their Shared Housing program; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #237-11-26-13

**AUTHORIZE WOMEN'S RIGHTS INFORMATION CENTER  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR  
HELP FOR ENTERPRISING WOMEN PROGRAM**

**WHEREAS**, a Bergen County Community Development grant of \$82,950 has been proposed by Women's Rights Information Center for their Help for Enterprising Women program; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #238-11-26-13

**AUTHORIZE VINCENTE K. TIBBS CHILD DEVELOPMENT CENTER  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$45,000 has been proposed by the Vincente K. Tibbs Child Development Center for their Math & Literacy Readiness Program to prepare the children for public school; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

RESOLUTION #239-11-26-13

**AUTHORIZE CITY OF ENGLEWOOD  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$220,000 has been proposed by the City of Englewood for the Reconstruction of Warren Street project; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

**AUTHORIZE ENGLEWOOD HEALTH DEPARTMENT  
APPLICATION FOR BERGEN COUNTY  
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

**WHEREAS**, a Bergen County Community Development grant of \$4,755.10 has been proposed by the Englewood Health Department for the “Don’t Miss a Beat” 12-week Heart Health Program in the municipality of the City of Englewood; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council; and

**WHEREAS**, the aforesaid project is in the best interest of the people of Englewood; and

**WHEREAS**, this resolution does not obligate the financial resources of the City and is intended solely to expedite expenditure of the aforesaid Community Development funds;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Englewood hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

**AWARD OF CONTRACT FOR PALISADE AVENUE SECURITY SURVEILLANCE CAMERA SYSTEM**

**WHEREAS**, the Police Department of the City of Englewood is desirous of installing a Palisade Avenue Security Surveillance Camera System to better enhance safety and security for the merchants, residents and visitors to the Downtown area; and

**WHEREAS**, the City issued a Request For Proposal on August 13, 2013 and received on September 4, 2013 to solicit Proposals from Respondents to provide and install a Palisade Avenue Security Surveillance Camera System, and based on professional experience, expertise and reputation, the City Council of the City of Englewood awards a contract for such services to the CelPlan Technologies, Inc. with offices located at 1920 Association Drive, Reston, VA 20191 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 that the value of this contract will not exceed \$400,000 and that funds are available for this purchase from the Englewood Police Department’s “Forfeited Funds-DEA” account and the Chief Financial Officer has provided a certification to this effect; and

**WHEREAS**, the firm has completed and submitted 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

**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 CelPlan Technologies, Inc. to provide and install a Palisade Avenue Security Surveillance Camera System as outlined in the Request for Proposal, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and CelPlan Technologies, Inc.

**BE IT FURTHER RESOLVED**, that a copy of the within resolution, together with a copy of the Agreement and that the Business Entity Disclosure 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			
<i>Cohen</i>	X	X			
<i>Hamer</i>		X			

Mayor and Council comments on Resolution #241:

- Mayor Huttle asked about additional costs and who will be monitoring the cameras. Police Chief explained that there will be no additional staffing or costs in regard to the security cameras. Mayor stated that he wants auxiliary police officers to be considered in the 2014 Budget. They will be trained but not carry guns.
- Councilman Hamer is concerned if there is a finite window for the funding, and can we continue with additional conversations about the cameras. Mayor asked Chief if governing body can put forth protocols for the use of the cameras. Councilman Hamer asked if the Council is the one to determine when the system can be turned on once protocols are established and governing body is comfortable.
- Mayor Huttle explained that you can come up with protocols but if you spend the money to buy the system then you need to use it. Protocols should be a top priority. Process is to approve the expenditure, detailed discussion to set the protocols and approve them, then start the system.
- Mr. Dacey explained that this cannot be dragged out and it needs to get done.
- Mayor Huttle said that Councilman Hamer made a good suggestion and we should do it.
- Councilman Skurnick said that we are going to vote now on the expenditure.
- Councilwoman Algrant said that if you have huge questions on how the system will be implemented and used then you should vote "no" on the resolution. Do not make the purchase and then answer questions.
- Councilman Cohen stated that they are cameras, they take pictures and if a crime incurs in an area then the pictures get looked at otherwise they evaporate. Nothing else to really talk about.
- Mayor Huttle called for a roll call vote and said that if the resolution passes then he will call for the discussion of the protocols to begin at the December 10<sup>th</sup> meeting.

Public Session:

- Elle Kelly 350 Shepard Avenue:
  - o Asked about the cost of annual maintenance on the security cameras.
  - o Said that the City cannot take away the right of veterans to get their peddlers licenses and that they can sell what they want, where they want. Mr. Bailey explained that the ordinance actually expands vendors' rights.
  - o Spoke about Styrofoam used by restaurants and food trucks, etc.
- Curtis Caviness 41 E. Forest Avenue:
  - o The term "Mobile Vendor" is an oxymoron.
  - o Asked questions about arena and recreation items on the Bills & Claims list.
  - o Definition of Coach needs to be researched in regard to the football team.
  - o Protocols for security cameras should be a community policy with more public input.
- Rosie D'Rivera, Rosie's Weenie Wagon:
  - o Gave out a handout with her concerns regarding the draft ordinance listed in it.
- Lucy Walker 363 Washington Place:
  - o Spoke about seating at the mobile food truck and problems contacting CSX railroad.

RESOLUTION #242-11-26-13

**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 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.

<b>COUNCIL</b>	<b>MOTION</b>	<b>AYES</b>	<b>NAYS</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Algrant</b>	X	Y			
<b>Forman</b>		Y			
<b>Skurnick</b>		Y			
<b>Cohen</b>		Y			
<b>Hamer</b>		Y			

**ADJOURN: 10:23 PM**

Motion: Cohen  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk