

City of Englewood
City Council Meeting Minutes
September 8, 2015

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 President Lynne Algrant
Mayor Frank Huttle III
City Manager Timothy Dacey
City Attorney William Bailey

Absent: City Clerk Lauren Vande Vaarst

President Algrant 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.

RESOLUTION #177-09-08-15

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 \$811,292.84

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

Communications from the Mayor/Council Member:

Comments from the City Manager:

- No report was on vacation last week.

ORDINANCE #15-10

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 NON-MOTORIZED FOOD VENDOR** – Movable, non-motorized unit (i.e., pushcart) where food or beverage is transported, stored or prepared for retail sale or given away at temporary locations.
- C. **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 Light Industrial (L-I) zones throughout the City and the Research, Industry and Medical (RIM) zone, excluding the Planned Unit Development Overlay (PUD-1) zone north and 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 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.

B. Mobile retail motorized and non-motorized food vendor parking permits. Mobile retail motorized and non-motorized food vendors operating within the City of Englewood are required to purchase an annual permit. The application shall include the proposed location(s) at which the applicant seeks to park as well as the written consent of the property owner(s). Only one permit shall be issued per property (i.e., Block and Lot).

Permits are available as follows:

	Time Length (weekly)	Annual Permit Fee
Motorized	7 days	\$250
Non-motorized	7 days	\$ 50

The permits and business licenses 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.

FIRST READING DATE: August 25, 2015

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

DATE PUBLISHED IN THE RECORD: August 28, 2015

DATES PUBLIC HEARINGS HELD: September 8, 2015

DATE SECOND READING HELD: September 8, 2015

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Forman	X	Y	X	Y	X	Y
Skurnick		Y		Y		Y
Cohen		Y		Y		Y
Hamer		Y		Y		Y

Public Comment on Agenda Items:

- No one from the Public came forward to speak.

RESOLUTION #178-09-08-15

RENEWAL OF LIQUOR LICENSES FOR 2015-2016

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, 2015 at 12:01 AM and ending June 30, 2016 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be conducted during the 2015-2016 license year.

CLUB LICENSE #31

0215-31-032-002	Ideal Lodge 470 IBPOE of the World	17 Bennett Road
0215-31-042-001	Congregation Ahavath Torah	240 Broad Avenue

PLENARY RETAIL CONSUMPTION LICENSE #33

0215-33-005-010	Parea LLC (<i>Inactive</i>)	<i>No Address on File</i>
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PLENARY RETAIL DISTRIBUTION LICENSE #44

0215-44-015-013	70 Grand LLC (<i>Inactive</i>)	<i>No Address on File</i>
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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			

RESOLUTION #179-09-08-15

AUTHORIZING AWARD OF CONTRACT FOR POLICE PISTOL RANGE DEMOLITION AND REMEDIATION, CITY OF ENGLEWOOD, BERGEN COUNTY, NEW JERSEY

WHEREAS, sealed bids were received on September 1, 2015 for the Police Pistol Range Demolition and Remediation, City of Englewood, Bergen County, New Jersey 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 Joseph Hamilton Construction, 86 Porete Avenue, North Arlington, New Jersey 07031 for the sum of \$137,294.95 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, funds are available for this purchase from Ordinance #14-16(7), capital account C-04-14-016-000-007 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Joseph Hamilton Construction, 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 Joseph Hamilton Construction, for the Police Pistol Range Demolition and Remediation, City of Englewood, Bergen County, New Jersey 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.

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			

RESOLUTION #180-09-08-15

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 \$10,322.84 for said years due to successful tax court judgments.

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			

Resolution #181-09-08-15

COOPERATIVE PURCHASE- DPW EQUIPMENT

WHEREAS, the City of Englewood is a participant in the National Joint Purchasing Alliance (NJPA) under its Cooperative Purchasing Program and the City has the requirement for; one (1) 2015 Caterpillar 930M Wheel Loader with a 3.2 yd. Bucket with RPM 217 Snow blower and Truck Loading Chute; and

WHEREAS, the City of Englewood will be purchasing the equipment from Foley Inc. located at 855 Centennial Avenue, PO Box 1555, Piscataway, NJ 08854-3912 for the purchase price of \$292,574.97; and

WHEREAS, funds are available for this purchase from Ordinance #15-03(l), capital account C-04-15-003-000-009 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract for the purchase of one (1) 2015 Caterpillar 930M Wheel Loader with a 3.2 yd. Bucket with RPM 217 Snow blower and Truck Loading Chute from Foley Inc. located at 855 Centennial Avenue, PO Box 1555, Piscataway, NJ 08854-3912 for the purchase price of \$292,574.97.

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			

RESOLUTION #182-09-08-15

GARDEN STATE MUNICIPAL JOINT INSURANCE FUND JOINT TRUST AGREEMENT AND RESOLUTION TO REJOIN

WHEREAS, a number of local governmental units in the State of New Jersey have joined together to form a Joint Insurance Fund as permitted by the Chapter 372 Laws of 1983 (40A:10-36); and

WHEREAS, the statutes and regulations governing the creation and operation of a Joint Insurance Fund contain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a Fund; and

WHEREAS, the Governing Body of the City of Englewood, has determined that membership in the Garden State Municipal Joint Insurance Fund (hereinafter referred to as the "Fund") is in the best interests of itself and its citizens; and

WHEREAS, the Governing Body of the City of Englewood has previously executed a resolution to join the Garden State Municipal Joint Insurance Fund subject to the acceptance of its assessment; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Englewood (hereinafter referred to as the "Municipality") does hereby resolve and agree to renew its membership in the Fund for a period not to exceed three (3) years beginning January 1, 2016 to December 31, 2018 for the purpose of establishing the following types of coverage:

- Workers' Compensation and Employer's Liability;
- General Liability including law enforcement and public officials liability;
- Motor vehicle liability;
- Property damage (buildings, contents, equipment, and motor vehicle);

BE IT FURTHER RESOLVED, that the Municipality has never defaulted on claims and has not been canceled for nonpayment of insurance premiums for a period of at least two years prior to the adoption of this Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and the Municipal Clerk are authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the Fund and to deliver same to the Executive Director of the Fund with the express reservation that said document shall become effective only upon approval by the New Jersey Department of Insurance and the Department of Community Affairs.

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			

RESOLUTION #183-09-08-15

**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.

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			

RESOLUTION #184-09-08-15

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.

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			

RESOLUTION #185-09-08-15

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

WHEREAS, a Bergen County Community Development grant of \$13,000 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.

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			

RESOLUTION #186-09-08-15

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

WHEREAS, a Bergen County Community Development grant of \$200,000 has been proposed by the City of Englewood for the capital rehabilitation of East Palisade Avenue; 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.

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			

RESOLUTION #187-09-08-15

RESOLUTION AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT UNDER THE CATEGORY OF "UN-PROGRAMMED FUNDS"

WHEREAS, a Bergen County Community Development Grant of \$136,000 has been proposed by the City of Englewood for the capital rehabilitation of Epps Avenue; and

WHEREAS, the source of this funding is being requested through the category of "un-programmed funds" through the Bergen County Community Development Block Grant Program; and

WHEREAS, pursuant to the State Inter-local Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Englewood hereby confirms endorsement of the aforesaid project.

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

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			

RESOLUTION #188-09-08-15

AWARD PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR ENGLEWOOD LIBRARY ENTRANCE AND BRIDGE REPAIRS, PROJECT NO. 111507

WHEREAS, the City of Englewood has the need for Engineering Services for the Englewood Library Entrance and Bridge Repairs, Project No. 111507; and

The scope of work will include the following:

- Pre-design Services
- Design Services
- Bid Services

- Construction Phase Services

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T&M Associates, 11 Tindall Road, Middletown, New Jersey 07748 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal dated July 30, 2015, is not to exceed \$18,200.00;and

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

WHEREAS, funds are available for this purchase from Ordinance #15-03(F), capital account C-04-15-003-000-006 and the Chief Financial Officer has certified that sufficient funds are available to award this contract; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T&M Associates to provide Engineering Services for the Englewood Library Entrance and Bridge Repairs, Project No. 111507; and

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

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

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			

RESOLUTION # 189-09-08-15

**PERSON- TO-PERSON TRANSFER
OF PLENARY RETAIL CONSUMPTION LICENSE**

WHEREAS, an application has been filed for a Person-to-Person Transfer of a Plenary Retail Consumption License Number 0215-33-045-012, heretofore issued to RDS Englewood LLC, trading as, Terra Restaurant and Bar located at 36-40 N. Van Brunt Street, Englewood, New Jersey 07631; 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 September 9, 2015, the Person-to-Person Transfer of the aforesaid Plenary Retail Consumption License to MMA LLC, trading as Biddy O'Malley's, for the premises located at 36-40 N. Van Brunt Street, Englewood, New Jersey 07631and 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 MMA LLC, trading as Biddy O'Malley's effective September 9, 2015."

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			

RESOLUTION #190-09-08-15

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:
Contract Negotiations and Acquisition of Real Property

Which subject matter is permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- (X) Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.
- () Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.
- () Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

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

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

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

Public Session:

- Elle Kelly 350 Shepard Avenue:
 - Spoke about Palisade Avenue construction. Frantz Volcy answered his questions.
 - Wants the City to be pro active with the California Track and Field meet next year.
- Lisa Samuels 380 W. Palisade Avenue:
 - Thanked the Mayor and Council for passing the Mobile Food Vendor ordinance.

ADJOURN: 8:35 PM

Motion: Algrant
All in Favor

Lauren Vande Vaarst, RMC
City Clerk