

City of Englewood
City Council Meeting Minutes
June 28, 2016

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

Present: Council President Wayne Hamer
Council Member Charles Cobb
Council Member Michael Cohen
Council Member Marc Forman
Council Member Eugene Skurnick
Mayor Frank Huttie III
City Attorney William Bailey
City Manager Timothy Dacey
City Clerk Yancy Wazirmas

Absent: None

Council President Hamer called the meeting to order at 7:30pm and then led the Pledge of Allegiance.

OPEN PUBLIC MEETINGS ACT: The City Clerk read the following statement: *Adequate notice of this meeting, pursuant to the Open Public Meetings Act, was provided on the Annual Schedule of Meetings, which was adopted by the City Council on January 5, 2016, posted on the bulletin board at City Hall, distributed to The Record, and filed in the office of the City Clerk.*

APPROVAL OF MINUTES

RESOLUTION #134-06-28-16: RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETINGS
May 24, 2016

COUNCIL WORKSHOP MEETINGS
May 10, 2016

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

ROLL CALL:

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

BILLS AND CLAIMS

RESOLUTION #135-06-28-16: APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment as well as a consolidated list of prepaid items. The prepaid items include emergency payments, wire transfers and regularly scheduled monthly payments that are paid between bill and claims list dates; and

WHEREAS, all bills and claims listed herewith have been encumbered and sufficient funds are available for payment; and

WHEREAS, the required signatures have all been obtained on each voucher on the attached list.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Englewood, that the bills and claims on the submitted lists are hereby approved for payment in the total amount of \$1,836,855.66.

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

ROLL CALL:

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

ORDINANCES – PUBLIC HEARING/SECOND READING:

- None

ORDINANCES – INTRODUCTION/FIRST READING:

ORDINANCE #16-10

AN ORDINANCE AMENDING CHAPTER 393, SECTION 393-6 OF THE TAXICABS ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD

Councilman Forman made a motion that the ordinance pass on first reading and be published once, by title only, in the Record, and that a public hearing be held on **July 19, 2016**.

Councilman Cobb seconded the motion.

ROLL CALL:

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

PUBLIC COMMENT ON AGENDA ITEMS:

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

- Elijah Gurfein, Sherwood Place:
 - Asked why the purchase of military equipment for the police department was needed. Suggested that the Council approve everything single item before it is purchased. Council President Hamer responded that no tactical or armored equipment will be purchased. They are looking for items such as computers and communication equipment. The Council will be made aware of every item to be purchased before it is purchased and will be responsible for it.
- Mack Cauthen, 252 Cambridge Ave:
 - Asked the following about Resolution #136: where is Artus Park (behind Forest Gardens) and if more money can be requested in the future for Tryon Pool.
 - Asked about the renewal of the liquor license for 4 West LLC which closed this past Sunday.
 - Asked what is the total of amount of trucks for one manned trucks after the approval of the two this evening (five) and what is the plan for bulk collection. Mr. Dacey responded that the City still has to do the bulk and the condominiums so there will still be non-automated trucks in the fleet.
- Laura Vogel, 318 Marlboro Rd:
 - Asked who decides which surplus military equipment will be purchased and wants the public to be made aware of the equipment. Mr. Dacey explained the process and Mr. Hamer stated that a list of the prohibited items will be posted.
- Lucy Walker, Washington Place:
 - Asked/commented on the following: requested that a list of items to be purchased also be posted; is there significant savings with the contract with Pritchard (Mr. Dacey responded); and was a needs assessment done for Artus Park.

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

Council Comments on Resolution #137-06-28-16: “Resolution of the City of Englewood, County of Bergen, State of New Jersey, Approving the Participation in the Federal “1033” Program and Approving the Acquisition of Surplus Military Equipment”

- Councilman Skurnick expressed concerns that the resolution does not include language that the Council has to approve the acquisition of the equipment prior to purchase.
- Mr. Bailey stated that the Resolution is a template provided by the Federal Government and they may not approve it with any changes to the language. The deadline to approve is by the end of July and suggested that the list of prohibited items be attached to the resolution.
- Council President Hamer requested that internal procedures for approval be put in place prior to purchase of equipment.

A motion to table Resolution #137 until the July meeting was made by **Councilman Cobb** and seconded by **Councilman Skurnick**.

ROLL CALL:

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

RESOLUTIONS-CONSENT AGENDA

- #136-06-28-16 Authorize the Execution of the 2015 Bergen County Open Space Trust Fund Project Contract
- #138-06-28-16 Appoint Municipal Representatives to the Community Development Regional Committee
- #139-06-28-16 Refunds Due to State Tax Appeals
- #140-06-28-16 Renewal of Liquor Licenses for 2016-2017
- #141-06-28-16 Cooperative Lease to Purchase of Chipper for DPW
- #142-06-28-16 Cooperative Purchase of Two Automated Refuse Trucks for DPW
- #143-06-28-16 2016 Curb and Sidewalk Program, Project No. ENGL-00300
- #144-06-28-16 Liberty Road Curb Installation, Project No. ENGL-00210
- #145-06-28-16 Appointment of the Local Historian and Assistant Historians

Council President Hamer asked if any members of the Council wished to have any resolutions pulled off the Consent Agenda to be voted on separately. Councilman Skurnick stated that Resolution #138 does not have any names listed in it.

Motion was made by **Council President Hamer** and seconded by **Councilman Skurnick** to nominate Councilman Cobb as the Municipal Representative.

Motion was made by **Councilman Cobb** and seconded by **Councilman Forman** to nominate Council President Hamer as the Alternate Municipal Representative.

ROLL CALL:

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

A motion was made by **Councilman Forman** and seconded by **Councilman Cobb** to approve the Consent Agenda Resolutions #136 and #138-145.

ROLL CALL:

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

RESOLUTION #136-06-28-16: AUTHORIZE THE EXECUTION OF THE 2015 BERGEN COUNTY OPEN SPACE TRUST FUND PROJECT CONTRACT

BE IT RESOLVED, that the Mayor and Council of the City of Englewood wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$12,125.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled **Artus Park Recreation Improvement Project** located in Lot 35.02 in Block 2802 on the tax maps of the City of Englewood; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize City Manager Timothy Dacey to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2018; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

RESOLUTION #138-06-28-16: APPOINT MUNICIPAL REPRESENTATIVES TO THE COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

WHEREAS, the City of Englewood has entered into an agreement with the County of Bergen as provided under the Interlocal Services Act, N.J.S.A. 40A:8A-1 et seq., and Title I of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that one Municipal Representative be appointed by the Governing Body of the community to be part of the Community Development Regional Committee for the term of one year coinciding with the fiscal year of July 1, 2016 through June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Englewood, Bergen County, New Jersey, hereby appoints Councilman Charles Cobb as its representative to participate on the Community Development Regional Committee and Council President Wayne Hamer is appointed as the Alternate.

RESOLUTION #139-06-28-16: REFUNDS DUE TO STATE TAX APPEALS

WHEREAS, a judgment has been received from the Tax Court of New Jersey for the following Block and Lots in the City of Englewood; and

WHEREAS, the said judgments have created and overpayment on the tax account listed for said years;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, in the County of Bergen, State of New Jersey, that the Chief Financial Officer be and he is hereby authorized to refund overpayment of the property taxes in the amount of \$5,240.30 for said years due to successful tax court judgments.

OWNER	Block & Lot	Address	Amount
Harry Sadel	2505-4	75 W Forest Ave	\$3,715.50 – 2013
Evan Hochberg& S. Kur	1103-4	218 King Street	\$759.23 – 2014 \$765.57 - 2015

RESOLUTION #140-06-28-16: RENEWAL OF LIQUOR LICENSES FOR 2016-2017

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, 2016 at 12:01 AM and ending June 30, 2017 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be conducted during the 2016-2017 license year.

CLUB LICENSE #31

0215-31-030-001

Henry Douglas Post #58 American Legion Inc.
t/a Henry Douglas Post #58

151 W. Forest Avenue

0215-31-032-002	Ideal Lodge 470 IBPOE of the World t/a Ideal Lodge #470	17 Bennett Road
0215-31-034-002	Englewood Field Club t/a Englewood Field Club	341 Engle Street
0215-31-037-001	Shiloh Craftsman Club t/a Shiloh Craftsman	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

0215-32-009-003	YNS Englewood Liquors Inc. t/a Englewood Liquors	42 E. Palisade Avenue
0215-32-011-007	TSH Wine & Liquor Inc. t/a Oprandy's Wines and Liquor	14-16 E. Hudson Avenue

PLENARY RETAIL CONSUMPTION LICENSE #33

0215-33-003-010	4 West LLC t/a 4 West Diner	412 S. Van Brunt Street
0215-33-005-010	Parea LLC t/a (Inactive)	No Address on File
0215-33-006-005	Larry Brad Drucker, Inc. t/a Cassies Restaurant & Pizzeria	18 S. Dean Street
0215-33-007-011	Philia LLC (Inactive)	No Address on File
0215-33-014-006	AWJ, Inc. t/a Bistro Capri	22-24 N. Van Brunt Street
0215-33-017-005	Colombian Nights LLC t/a (Not Available)	90 W. Palisade Avenue
0215-33-020-005	Tapas de Espana II, Inc. t/a Tapas de Espana	47 North Dean Street
0215-33-022-011	Smoke Inc. t/a Sophia	36 Engle Street
0215-33-023-005	Anthony's Coal Fired Pizza of Englewood t/a Anthony's Coal Fired Pizza	10 Sterling Blvd., Suite #104
0215-33-024-013	21 Palisade Avenue LLC t/a Blue Moon Mexican Cafe	23-25 E. Palisade Avenue
0215-33-025-007	Du Enterprises LLC t/a Akai Lounge	11 N. Dean Street
0215-33-027-007	201 Events LLC t/a El Rey Bull	14-16 Armory Street
0215-33-044-002	Bergen Performing Arts Center Inc. t/a Bergen PAC	30 North Van Brunt Street
0215-33-045-013	MMA LLC t/a Bidy O'Malley's	36-40 N. Van Brunt Street

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

0215-36-046-006	Crescent Hotels & Resorts LLC t/a Crowne Plaza Englewood	401 S. Van Brunt Street
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LIMITED RETAIL DISTRIBUTION LICENSE # 43

0215-43-001-005	Jordan Convenience Corner Inc. t/a Jordan Convenience Corner	190 W. Englewood Avenue
0215-43-002-007	Sunshine Mini Market LLC t/a (Not Available)	548 Grand Avenue
0215-43-021-003	STA Barbara Grocery 1 LLC t/a Santa Barbara Grocery	79 Slocum Avenue

PLENARY RETAIL DISTRIBUTION LICENSE #44

0215-44-004-008	Gettenberg Wellisch LLC t/a Englewood Wine Merchants	1 Engle Street
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0215-44-008-011	Alison Beverages of NJ Inc. t/a Shoprite Liquors of Englewood	53 Nathaniel Place
0215-44-013-008	Sudhdh, LLC t/a Wides Liquors	228-230 West Palisade Ave
0215-44-015-013	70 Grand LLC t/a (Inactive)	No Address on File
0215-44-019-004	Jerry's Outlet Inc. t/a Jerry's Outlet	410 S. Dean Street
0215-44-028-008	Jayshri Ambe Inc. t/a C & R Beverage Co.	91 West Palisade Avenue
0215-44-039-004	Grand Liquor & Deli Inc. t/a Grand Liquor & Deli Inc.	124 Grand Avenue

RESOLUTION #141-06-28-16: COOPERATIVE LEASE TO PURCHASE OF CHIPPER FOR DPW

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) Model 1990XP 21”Drum Style Brush Bandit with feed system; and

WHEREAS, the City of Englewood will be leasing the equipment with the option to purchase from Northeast Arborist Supply, located at 50 Notch Road, West Paterson, NJ 07424-1960 through the National Cooperative Leasing. The term of the lease agreement is for 60 months for \$2,379.62 per month, with an option to purchase the chipper for \$1.00 at the end of the lease agreement; 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, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract for the lease with the option to purchase of one (1) Model 1990XP 21”Drum Style Brush Bandit with feed system from Northeastern Arborist Supply, through National Cooperative Leasing, located at 50 Notch Road, West Paterson, NJ 07424-1960 for the \$2,379.62 per month for 60 months with the option to purchase for \$1.00 at the end of the lease agreement.

RESOLUTION #142-06-28-16: COOPERATIVE PURCHASE OF TWO AUTOMATED REFUSE TRUCKS FOR DPW

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; two (2) New Labrie Model Automizer Right hand thirty one (31) cubic yard sideload refuse trucks body with Autocar chassis and Plow Hydraulics; and

WHEREAS, the City of Englewood will be purchasing the equipment from Sanitation Equipment Corp., located at South 122 Route 17 North, Paramus, NJ 07652 for the total price of \$605,801.20; 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, Bergen County, New Jersey, that the City Manager is authorized to enter into a contract for the purchase of two (2) New Labrie Model Automizer Right hand thirty one (31) cubic yard sideload refuse trucks body with Autocar chassis and Plow Hydraulics from Sanitation Equipment Corp., located at South 122 Route 17 North, Paramus, NJ 07652 for the total price of \$605,801.20.

RESOLUTION #143-06-28-16: AUTHORIZING AWARD OF CONTRACT FOR 2016 CURB AND SIDEWALK PROGRAM, PROJECT NUMBER ENGL-00300

WHEREAS, sealed bids were received on June 28, 2016 for the **2016 Curb and Sidewalk Program, Project Number ENGL-00300** in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from seven (7) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by P.A. Contractors, Inc., located at 105 Davis Avenue, Kearney, New Jersey 07032, for the Base Bid of \$73,290.00 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, funds were approved for this purchase through the Capital Fund 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 P.A. Contractors, 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 P.A. Contractors, Inc., for the **2016 Curb and Sidewalk Program, Project Number ENGL-00300** 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.

RESOLUTION #144-06-28-16: AUTHORIZING AWARD OF CONTRACT FOR LIBERTY ROAD CURB INSTALLATION, PROJECT NUMBER ENGL-00210

WHEREAS, sealed bids were received on June 28, 2016 for the **2016 Liberty Road Curb Installation, Project Number ENGL-00210** in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from six (6) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by Portofino Builders LLC, located at 217 Filbert Street, Roselle Park, New Jersey 07204, for the Base Bid of \$196,150.00 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, funds were approved for this purchase through the Capital Fund 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 Portofino Builders LLC, 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 Portofino Builders LLC, for the **Liberty Road Curb Installation, Project Number ENGL-00210** 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.

RESOLUTION #145-06-28-16: APPOINT OF LOCAL HISTORIAN AND ASSISTANT HISTORIANS

BE IT RESOLVED, by the City Council of the City of Englewood, Bergen County, State of New Jersey; that the following appointments are confirmed for the following terms:

Local Historian:

- William Lee, 163 West Demarest Avenue, be appointed for a one-year term expiring June 30, 2017.

Assistant Historians:

- Irmari Nacht, 256 Van Nostrand Avenue, be appointed for a one-year term expiring June 30, 2017.
- Thomas Monroe, 307 West Forest Avenue, be appointed for a one-year term expiring June 30, 2017.

COMMUNICATIONS FROM THE MAYOR/COUNCIL MEMBERS:

Councilman Charles Cobb:

- Congratulated the Class of 2016 from Dwight Morrow, the Academies and Dwight Englewood School and to all the kids who are moving up.
- Commended Lt. Joseph Hoyle and the Jabari Society for once again having a successful Juneteenth program and parade.
- Commended the Recreation Department for the end of school year pool party which was attended by over 260 children.
- Recognized Carol Rauscher and the Chamber of Commerce and the merchants for the organization of a successful Latino festival.
- Announced that he will be hosting a Town Hall Meeting on Thursday in the Council Chambers with the Police Department for the community to ask questions.
- Wished everyone a Happy Fourth of July and great summer.

Councilman Marc Forman:

- Wished everyone a Happy Fourth of July.
- Reported that the Recreation Department Summer Camp has 142 children enrolled and there is still some room for a few more children.

Councilman Eugene Skurnick:

- Spoke about the Politico article that reported on the Mayor voting on a development project that later received a loan from the bank on which he is a board member and shareholder.
- Asked for an independent investigation by an independent counsel to determine if there are any violations of the law and to report the findings back to the Council.
- Also asked that the US Attorney General to also investigate this issue.

Councilman Michael Cohen:

- Congratulated Joe Hoyle and the Jabari Society for a successful Juneteenth event.
- Thanked Merle Simons and the Recreation Department for changing the schedule and not having all events on Saturdays.
- Requested that the issue brought by Councilman Skurnick not be taken lightly and to make sure that the Governing Body removes the cloud and to let the sun shine through.

Mayor Frank Huttie:

- Congratulated Joe Hoyle and the Jabari Society for another successful Juneteenth.
- Stated that the Planning Board Attorney has reviewed the matter in the Politico article and confirmed that a conflict does not exist. A copy of his legal opinion will be provided.
- Asked that they move forward and not waste taxpayer's time.

COMMENTS FROM THE CITY MANAGER:

Mr. Dacey reported on the following:

- Englewood fireworks will be tomorrow night at the high school. There will be a DJ, entertainment, and food vendors.
- Englewood Night Market will be Tuesday, July 12th from 5:00pm to 11:00pm. This year it will be from Engle Street to Dean Street and from Dean Street to Van Brunt. Most of the restaurants downtown are participating and Bergen PAC is providing the entertainment.
- One of the employees left the chlorine pump on at the Mackay Pool so the pool will have to be closed today because we are out of chlorine until a delivery is received on Thursday. Until then, the Tryon Pool is open.
- The Lincoln School demolition is under way and the firehouse demolition is scheduled to begin on July 8th.
- The Route 4 Diner closed this past weekend and the demolition of that property is expected to begin at the end of July. (Mr. Skurnick added that the owner of the diner has agreed to give the two giant photographs to the firehouse.)
- The Municipal Apprenticeship Program with the EEDC and the Chamber of Commerce begins on July 5th. There are 42 apprentices who will spend the summer working in various businesses throughout the City.
- There are 160 campers registered with the Recreation Dept. Summer Camp Program.

- The Weekend Basketball Program begins at Mackay this weekend and will run through the middle of August.
- Construction of Palisade Avenue between Engle and Van Brunt will begin approximately July 12th.
- There was a meeting with CSX yesterday and were notified that they will be replacing the crossing on Palisade Avenue with a concrete crossing. This project will last five days near the end of July and Palisades Avenue will have to be closed for the construction.

Council President Wayne Hamer:

- The Public Library is hosting free Jazz Concerts on Thursdays through August on the front lawn.

PUBLIC SESSION:

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

- Ellie Kelly , 350 Shepard Ave:
 - Asked/commented on the following: concerns about security; a sidewalk on Forest Ave; oil tanks on City property; children swimming in the in the City pool during a rain storm and repaving Englewood Ave.
- Angelique Phillips, 303 Marlboro Rd:
 - Expressed concerns about not being able to pay for family passes at the pool. Also recommended training for better customer service by pool personnel.
- Helen Kiphaut, 99 Charles Street:
 - Asked/ commented about the following: make sure military surplus items are not “expired;” how will the revenue lost from Englewood Cliffs ending their contract with the library affect us; the accusations made by Mr. Skurnick are very serious but proof is needed.
- Esther Santiago-Babb, 213 2nd St:
 - Asked why there are two different companies in resolution 143 and 144 doing the same thing. She also stated that she wants concrete curbs and not pavers which keep breaking. (Mr. Dacey responded.)
 - Asked they preserve open space and include the community gardens as open space.
 - More crosswalks are needed on Lafayette and a sidewalk is needed on Forest Ave.
- June Gregg, 142 Elmore Ave:
 - Asked when the Mackay Park gate will be repaired and where is the park ranger to open the gate. She is oncerned with people cutting through her property.
- Laura Vogel, 318 Marlboro Rd:
 - Asked what is the process for the apartments proposed on S. Dean as reported in the Suburbanite.
 - Asked for better mass transit in the 3rd Ward and spoke against the property that the Board of Education is purchasing.
- Lucy Walker, Washington Place:
 - Suggested they have one late night registration for the pool
 - Englewood Cliffs was not paying their bill for the library.
 - Is the County Open Space grant for Artus Park a matching grant
 - Agrees that an outside investigator should be brought in to clear up any conflict issues.
- Joseph Hoyle, 103 Elmore Ave:
 - Spoke about the gate at the end of Elmore Ave.
- Shirley Smith, 374 E. Palisade Ave:
 - Asked about the bridges being re-opened into Mackay Park.
- Leonardo Acosta, 81 Charles St:
 - Complained that no notice of construction was given to the residents around the Shoprite

- Curtis Caviness, E. Forest Ave:
 - Asked/commented on the following: signs on Englewood Ave for Mackay Park; clarification for voting at Workshop meetings; issues with pool; closed stores on West Palisade Ave; deed restrictions for gates and bridges for Mackay Park; form a historic commission; why not go through different route for redevelopment area.
- Jack Silberman, 320 Murray Ave:
 - Asked/commented about the following: conflict issue; paving of Marlboro road and not Murray; 3rd Ward issues; requesting a commission to be formed to investigate Eleanor Harvey Park issues.
- Ken Rosenzweig, 143 Booth Ave:
 - Asked what the Council response is to the Politico article and asked they restore the public trust by hiring an independent investigator.
- Craig Solomon, Rockwood Place:
 - Asked the Council to look into issues written in the Politico article.
- Sandy Greenberg, 449 Liberty Rd:
 - Asked that the Council keep looking into sidewalks all over the City for the health and safety of the residents.
 - Spoke about the Politico article.

Council President Hamer closed the Public Session.

CLOSED SESSION:

RESOLUTION #127-05-24-16: PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Pending or Anticipated Litigation, Contract Negotiations and Attorney/Client Privilege

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

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

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action

thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

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

Motion by **Council President Hamer** seconded by **Councilman Cobb** to approve.

ROLL CALL:

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

ADJOURN:

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

ROLL CALL:

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

Meeting was adjourned at 9:52pm.

Yancy Wazirmas, RMC
City Clerk