

City of Englewood
City Council Meeting Minutes
September 13, 2011

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 Ken Rosenzweig
 Council member Michael Cohen
 Council member Scott Reddin
 Council member Jack Drakeford
 Council member Lynne Algrant
 Mayor / Council President Frank Huttle III
 City Manager Timothy Dacey
 City Solicitor William Bailey
 City Clerk Lauren Vande Vaarst

Council 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 Annual Notice of Meetings as required by the Open Public Meetings Act.

RESOLUTION #178-09-13-11

RESOLUTION ACCEPTING MINUTES

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

COUNCIL MEETING
August 16, 2011

COUNCIL WORKSHOP MEETING
September 6, 2011

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

Old Business:

RESOLUTION #179-09-13-11

APPROVE PAYMENT OF BILLS AND CLAIMS

WHEREAS, The Chief Financial Officer has certified and submitted a consolidated bill and claims list for payment; 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 list are hereby approved for payment in the total amount of \$1,722,639.24.

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

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

Communications from the Mayor/Council Members:

Comments from the City Manager:

- Discussed the City’s response to Hurricane Irene, and that the City is still cleaning up and removing debris from the storm. The City lost an estimated 100 trees, and there was severe damage to the Police Pistol Range which is currently inoperable.
- Will be meeting with the Police Chief in regard to the new Federal radio communications system requirements.
- A Temporary Certificate of Occupancy has been issued for 104 Grand Avenue.
- The City pools closed after Labor Day and the contract with American Leisure is now completed so the City is working with the YMCA in regard to the training and certifying of Lifeguards for next summer.
- The City Parking Garage has picked up some new contracts, with New York Sports Club leasing 30 spaces and Benzel Busch 90 spaces.
- A debriefing meeting is scheduled on Hurricane Irene and the City Manager will report back to the Mayor and Council.

ORDINANCE #11-11

AN ORDINANCE AMENDING SECTION 4-17 OF THE ZONING ORDINANCE OF THE CITY OF ENGLEWOOD RELATED TO PLANNED UNIT DEVELOPMENT (PUD-1) OVERLAY DISTRICT

WHEREAS, on July 16, 2002, the City Council of the City of Englewood adopted Ordinance 02-12 entitled “An Ordinance Creating a Planned Unit Development (PUD-1) Overlay Zoning District and Amending the Zoning Ordinance of the City of Englewood,” following notice and publication as required by law and following a favorable recommendation thereon by the Planning Board of the City of Englewood; and

WHEREAS, following adoption, the City Planner recommended an amendment thereto to modify the ratio between residential uses and nonresidential uses so as to reduce the density of the nonresidential uses; and

WHEREAS, pursuant to said recommendation and following notice and publication as required by law and receipt of a favorable recommendation from the Planning Board, the City Council of the City of Englewood adopted Ordinance No. 02-20 entitled “An Ordinance Amending Section 4-17.9(a) of the Zoning Ordinance of the City of Englewood, as amended by Ordinance No. 02-12 pertaining to the PUD-1 Overlay Zoning District” on October 29, 2002; and

WHEREAS, in conjunction with further amendments to the Master Plan of the City of Englewood by the Planning Board, the City Council of the City of Englewood restated and amended Ordinance Nos. 02-12 and 02-20 by adopting Ordinance No. 03-07 on July 22, 2003; and

WHEREAS, as a result of certain litigation instituted by ERA South, LLC, et al., the City entered into a Settlement Agreement which, among other things, required that the City consider amending the Planned Unit Development 1 (PUD-1) Overlay District in accordance with Exhibit A attached to said Settlement Agreement; and

WHEREAS, the City Council of the City of Englewood desires to introduce and adopt said amendments as set forth in Exhibit A attached to the Settlement Agreement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Englewood, Bergen County, New Jersey, as follows:
 Section 1. The Zoning Ordinance of the City of Englewood is hereby amended and supplemented by repealing the current Section 4-17 thereof and replacing the same with a new Section 4-17 entitled “Zoning Standard for PUD-1 Overlay District”, consisting of various sections and subsections as set forth on Exhibit A attached hereto and made a part hereof.

Section 2. All ordinances or parts thereof inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. If any sentence, clause, or other portion of this ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this ordinance.

Section 4. This ordinance shall take effect after passage and publication as required by law; after filing of a copy of same with the Planning Board of the County of Bergen; and upon the entry of a Judgment of Compliance by the Superior Court of New Jersey in accordance with the terms and conditions of the Settlement Agreement between the City of Englewood, the Planning Board of the City of Englewood and various other parties approved by the City Council on June 28, 2011 by Resolution No. 151-06-28-11.

Exhibit A

4-17 ZONING STANDARD FOR PUD-1 OVERLAY DISTRICT

4-17.1. Purpose.

(a) The purpose of this ordinance with respect to the Planned Unit Development 1 (PUD-1) Overlay District is to provide for the development of an area as a single entity according to a plan containing both residential and non-residential uses subject to such specific conditions and limitations as set forth herein, so as to foster mixed use development in appropriate locations within the City of Englewood specified in the underlying zoning district.

(b) The further purpose of this ordinance as amended is to continue the regulation of certain areas formerly zoned PUD-1 for which some development approvals have previously been granted but to modify the conditions and limitations upon which further development may be permitted so as to foster mixed use development in appropriate locations within the City of Englewood specified in the underlying zoning district. Among other things, the purpose of this ordinance is to permit certain further residential and non-residential development within two areas within the PUD-1 overlay district, defined and designated in Section 4-17A.2 as the Supplemental Development Area and the North Office Pad, but only subject to specific conditions and limitations set forth herein which are intended to foster mixed development in the overlay zone.

4-17.2. Permitted Uses.

Within the Planned Unit Development 1 (PUD-1) Overlay District and subject to the specific conditions and limitations set forth in this section no land or building shall be used, nor shall any building be constructed, altered or designed to be used, for any purpose other than the following:

- (a) Multifamily dwellings;
- (b) attached townhouse dwellings;
- (c) business, professional or governmental offices
- (d) hotels and conference centers
- (e) ancillary retail uses including banks, restaurants and retail sales and services
- (f) accessory parking decks and structures
- (g) accessory uses to permitted principal uses.

4-17.3. General Site Zoning.

Any Planned Unit Development shall comply with the following specific conditions and limitations:

(a) Minimum Aggregate Area: 12 Acres. Contiguous lot or lots separated by public streets or rights-of-way, other than divided highways, may be combined for the purpose of calculating aggregate area.

(b) Maximum Impervious Coverage: 80%

(c) Floor Area Ratio is calculated on the basis of the total aggregated lot size (minimum size is 12 acres) of the site plan.

(d) Maximum Floor Area Ratio for Combined Commercial Development and hotel/conference center (ratio of total gross floor area constructed to total lot area): 0.72 (Floor area ratio excludes parking and parking decks) except as hereinafter provided.

(e) Maximum Floor Area Ratio for Residential Development (ratio of total gross residential floor area constructed to total lot area): 0.75 (Maximum floor area ratio includes all levels of parking decks).

(f) Density of Residential Units (attached townhouse or Multifamily dwellings):

1. 25 Multifamily dwelling units per acre of total aggregated lot size, or
 2. 7.5 attached townhouse units per acre of total aggregated lot size.
 3. For any combination of Multifamily dwelling units and attached townhouse units, the permissible number of Multifamily dwelling units shall be reduced by 25 for each 7.5 attached townhouse units or part thereof.
- (g) Minimum 10' planting buffer between any existing industrial use.
- (h) Minimum 20% landscaped pervious area.
- (i) Signage shall comply with the provisions of Section 4-6.13 of the Zoning ordinance.

4-17.4. Office Zoning:

The development of business, professional and governmental office uses shall comply with the following specific conditions and limitations.

- (a) Maximum Height: Building height shall be limited to 10 stories and 120 feet (including parking deck structures).
- (b) Maximum Gross Square Footage of Ancillary Retail Space: the lesser of 5% of total Gross Floor Area or 30,000 square feet.
- (c) Office Buildings may not be constructed within 100 feet of Overpeck Creek Channel Walls.
- (d) Parking: 4.0 spaces for every 1,000 square feet of Gross Floor Area including retail areas for buildings under 100,000 square feet, or 3.5 spaces for every 1,000 square feet of Gross Floor Area including retail areas for buildings having 100,000 square feet or more.
- (e) Setback from existing Hotel and/or Office Use: 30 feet
- (f) Setback from existing Residential Use: 50 feet.
- (g) Notwithstanding the maximum height and maximum floor area ratio for combined commercial development and hotel/conference center, for each 1% increase in landscaped pervious area over and above the 20% required, an increase in floor area ratio will be permitted of .01 and one story and 12 feet will be added to the permitted height up to a maximum floor area ratio for combined commercial development and hotel/conference center of .75, a maximum number of 12 stories and a maximum height of 144 feet.

4-17.5 Hotel and Conference Center Zoning:

The development of Hotel and Conference Center uses shall comply with the following specific conditions and limitations:

- (a) Maximum Height: the lesser of 10 stories or 120 feet.
- (b) Hotel/or Conference Center may not be constructed within 100 feet of Overpeck Creek Channel Walls.
- (c) Parking: 1.2 spaces for each room plus 10 spaces per 1,000 square feet of Conference Center. Conference Center is defined as the gross square footage of all space encompassing conference rooms and auxiliary rooms that service the conference rooms (excluding kitchen area).
- (d) Setback from existing Hotel and/or Office Use: 30 feet.
- (e) Setback from existing Residential Use: 50 feet.
- (f) Notwithstanding the maximum height and maximum floor area ratio for combined commercial development and hotel/conference center, for each 1% increase in landscaped pervious area over and above the 20% required, an increase in floor area ratio will be permitted of .01 and one story and 12 feet will be added to the permitted height up to a maximum floor area ratio for combined commercial development and hotel/conference center of .75, a maximum number of 12 stories and a maximum height of 144 feet.

4-17.6 Multifamily Zoning:

The development of Multifamily residential dwellings shall comply with the following specific conditions and limitations:

- (a) Maximum Height: The lesser of five stories or 59 feet in height.
- (b) Maximum Area of Single Building Coverage: 48,000 square feet.
- (c) Parking: In accordance with the New Jersey Residential Site Improvement Standards (RSIS) plus 3.5 spaces for each 1,000 square feet of ancillary retail gross floor area.
- (d) Maximum Ancillary Retail Space shall not exceed the lesser of 15% of the Gross Floor Area or 30,000 square feet, whichever is less.
- (e) Setback from existing Hotel and/or Office Use: 30 feet.

4-17.7 Townhouse Zoning:

The development of Attached Townhouse dwelling units shall comply with the following specific conditions and limitations:

- (a) Maximum height: 35 feet not to exceed three (3) stories.
- (b) Maximum area of single building: 4,500 square feet.
- (c) Maximum gross floor area: 13,500 square feet.
- (d) Parking: three (3) spaces for each townhouse unit.
- (e) Setback from another townhouse building - minimum 20 feet.
- (f) Setback from Multifamily residential, office or hotel/conference center minimum 30 feet.

4-17.8 Parking Deck Zoning:

The development of parking decks shall comply with the following specific conditions and limitations:

- (a) Maximum height: the lesser of 7 stories or 84 feet.
- (b) Parking decks may not be constructed within 100 feet of Overpeck Creek Channel Walls.
- (c) Setback from Residential Use: 30 feet unless used to serve residential units.

4-17.9 Required Ranges Between Residential and Non-Residential.

To insure an appropriate balance of non-residential to residential uses within a Planned Unit Development, the following range of non-residential uses to residential uses is hereby required and shall be specified and depicted on any site plan required in connection therewith.

- (a) There shall be no more than 30 residential units (either multiple family dwelling units or attached townhouse dwelling units) for each 20,000 square feet of non-residential development (excluding parking). (02-20)
- (b) The land area within a Planned Unit Development designated for residential development shall not exceed 75% of the total land area within the Planned Unit Development, inclusive of parking.

4-17A ZONING STANDARDS FOR FURTHER DEVELOPMENT IN THE SUPPLEMENTAL DEVELOPMENT AREA AND NORTH OFFICE PAD WITHIN THE PUD-1 OVERLAY ZONE

4-17A.1 Title and Scope.

This section may be referred to as the PUD Supplemental Development Area Standards (PUD-SDA Standards). It establishes standards for further development in the Supplemental Development Area and North Office Pad areas within the PUD-1 Overlay Zone as defined and designated in Section 4-17A.2,

4-17A.2 Definitions

Except as otherwise expressly stated in this section, the following terms shall have the following meanings:

- (a) "North Office Pad" means Block 2518, Lot 1.01.
- (b) "Qualified Retail Uses" means facilities for the sale of goods or services to the public, but excluding facilities in which the predominant good or service sold is
 - i. paint;
 - ii. hardware;
 - iii. appliances;
 - iv. clothing;
 - v. shoes;
 - vi. jewelry;
 - vii. cameras;
 - viii. finished works of art;
 - ix. liquor, but not excluding
 - (1) qualified retail uses in which wine, beer or liquor sold for consumption on-site and
 - (2) qualified retail uses which sell wine, beer or liquor for external consumption but whose predominant business on site is the sale of other goods or services, provided that no more than 20% of the shelf space is devoted to wine, beer, or liquor products.
 - x. bicycles;
 - xi. eye glasses or contact lens (optician); and
 - xii. stationary or greeting cards.
- (c) "Supplemental Development Area" means the area encompassed by "Block 2602, Lot 3.01, Block 2602, Lot 3.02, Block 2602, Lot 3.03, Block 2602, Lot 3.04, Block 2605, Lot 1.01, and Block 2605, Lot 1.02 as designated on the official tax map of the City of Englewood.
- (d) "Supplemental Multifamily Housing" means 195 multifamily residential dwellings excluding those that had received preliminary or final site plan approval prior to January 1, 2007.
- (e) "Gross floor area" means the sum of the gross horizontal internal areas of all the floors of a building (or buildings), measured from the exterior faces of exterior walls, or from the center line of walls common to two buildings, except that the floor area shall include only 75% of any basement or cellar space and shall exclude any parking or parking structures.
- (f) "Further development" means development which receives preliminary or final site plan approval after June 1, 2011.

4-17A.3 Applicability

Except as otherwise provided within the PUD-SDA Standards, further development within the Supplemental Development Area and North Office Pad shall be governed by the PUD-1 Overlay Zone (codified as 4-17.1 et seq) and the PUD-SDA Standards. Where there is any conflict or inconsistency as to the standards governing such development, the PUD-SDA Standards shall control. The PUD-SDA Standards do not govern development in the PUD-1 Overlay Zone other than within the Supplemental Development Area and the North Office Pad.

4-17A.4 Additional Permitted and Non-Permitted Uses.

(a) Within the Supplemental Development Area and North Office Pad, and subject to the specific conditions and limitations set forth in this section, the following uses shall be permitted in addition to those permitted in the PUD-1 Overlay Zone.

(1) qualified retail uses.

(b) Within the Supplemental Development Area and North Office Pad, Ancillary Retail Uses as defined in Section 4-17.2(e) are prohibited.

4-17A.5 Supplemental Multifamily Housing

(a) Supplemental Multifamily Housing shall be permitted only in the Supplemental Development Area.

(b) Except as expressly stated to the contrary, Supplemental Multifamily Housing shall comply with the standards set forth in the PUD-1 Overlay Zone for Multifamily Housing and shall also comply with the following standards

1. Maximum number of units: 195.
2. Maximum gross floor area: 257,400 square feet.
3. The housing shall not include any units with more than two bedrooms.
4. Parking: In accordance with the New Jersey Residential Site Improvement Standards (RSIS). Because of the location, anticipated demographic characteristics of residents, availability of mass transit, an applicant for development approval of Supplemental Multifamily Housing shall have the right, upon request, to utilize an alternative parking standard under the RSIS of 1.6 parking spaces for each dwelling unit.

(c) Supplemental Multifamily Housing shall not be included in the Maximum Floor Area Ratio for Residential Development set forth in the PUD-1 Overlay Zone standards but the aggregate gross floor area for all Supplemental Multifamily Housing shall not exceed 257,4000 square feet.

(d) Supplemental Multifamily Housing shall not be subject to the standards for Density of Residential Units (attached townhouse or multifamily dwellings) set forth in the PUD-1 Overlay Zone, but the total number of Supplemental Multifamily Housing units shall not exceed 195 units.

(e) Supplemental Multifamily Housing shall not be subject to the standards for Maximum Area of Single Building Coverage for Multifamily Housing in the PUD-1 Overlay Zone.

(f) Supplemental Multifamily Housing shall not be subject to standards for Parking for Multifamily Housing in the PUD-1 Overlay Zone.

4-17A.6 Office Buildings

(a) Office Buildings shall be permitted within the North Office Pad and the Supplemental Development Area, including medical offices.

(b) The gross floor area of any office building within the Supplemental Development Area or the North Office Pad shall not be less than 40,000 square feet nor exceed 200,000 square feet.

4-17A.7 Qualified Retail Zoning

The development of qualified retail uses shall comply with the following specific conditions and limitations:

(a) Qualified retail uses shall be permitted only in the Supplemental Development Area.

(b) Maximum aggregate gross floor area – 15,000 square feet.

(c) Maximum gross floor within a single store

1. Restaurant or specialty grocery store -- 15,000 square feet,
2. Other qualified retail use – 10,000 square feet

- (d) Maximum height – The lesser of two stories or 30 feet
- (e) Parking: one space per 250 square feet of floor area

4-17B ZONING STANDARDS FOR EXISTING NORTH RESIDENTIAL PAD PARCEL AND NORTH EXISTING RETAIL PAD PARCEL

4-17B.1 Title and Scope.

This section may be referred to as the PUD Existing North Development Area (“PUD-ENDA”) Standards. It establishes standards for the current developed areas in the North Residential Pad parcel and the North Retail Pad parcel as defined and designated in Section 4-17B.2.

4-17B.2 Definitions.

Except as otherwise expressly stated in this section, the following terms shall have the following meanings:

- (a) “North Residential Pad” means Block 2517, Lot 3.03.
- (b) “North Retail Pad” means Block 2518, Lot 1.02.

4-17B.3 Applicability.

(a) Except as otherwise provided within the PUD-ENDA Standards, development within the North Residential Pad and the North Retail Pad, i.e., the PUD-ENDA, shall be governed by the PUD-1 Overlay Zone (Codified as 4-17.1) and the PUD-ENDA Standards. Where there is any conflict or inconsistency as to the standards governing such development, the PUD-ENDA Standards shall control. The PUD-ENDA Standards do not govern development in the PUD-1 Overlay Zone other than within the North Residential Pad and the North Retail Pad.

(b) Zoning compliance for applications for development for parcels in the PUD-ENDA shall be calculated without reference to any parcels in the Supplemental Development Area or the North Office Pad, and the owners of any parcels in the Supplemental Development Area or of the North Office Pad need not be parties to any such applications, regardless of the existence of any approvals involving those parcels prior to the adoption of this provision. However, calculations for parking in the PUD-ENDA may include parking spaces in the Supplemental Development Area or the North Office Pad, if there is a permanent easement of record which provides parking rights pursuant to any such prior approval.

4-17B.4 Specific Standards for PUD-ENDA.

Notwithstanding anything to the contrary set forth in the PUD-1 Overlay District (Codified as 4-17.1 to -17.9) the following provisions shall replace and supersede only in the PUD-ENDA the density and linkage requirements of the PUD-1 Overlay District:

- (a) Density of Residential Units (Multifamily dwellings):
30 Multifamily dwellings units per acre of total aggregated lot size
- (b) Required Ranges Between Residential and Non-Residential:
Deleted in the PUD-ENDA.

FIRST READING DATE: July 19, 2011

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		AB
Reddin	X	Y
Cohen		Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: July 25, 2011 and September 1, 2011

DATE PUBLIC HEARING HELD: September 13, 2011

DATE SECOND READING HELD: September 13, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Rosenzweig		Y		Y		Y
Reddin		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-11:
No one from the Public came forward

ORDINANCE #11-12

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-20 SCHEDULE XII
OF THE TRAFFIC AND PARKING ORDINANCE
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD**

WHEREAS, Chapter 25, Section 25-20 Schedule XII restricts the parking of vehicles between the hours specified upon any of the following described streets or parts of streets within the City of Englewood on the dates indicated; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the aforesaid Section to modify limitations on parking in designated areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-20, Schedule XII is hereby amended as follows:

- Lantana Avenue North 8AM-12noon Tuesdays From Knickerbocker Road to Liberty Road
- Lantana Avenue South 8AM-12noon Wednesdays From Knickerbocker Road to Liberty Road

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

FIRST READING DATE: August 16, 2011

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Reddin	X	Y
Cohen		Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: August 19, 2011

DATES PUBLIC HEARINGS HELD: September 13, 2011

DATE SECOND READING HELD: September 13, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant	X	Y	X	Y	X	Y
Rosenzweig		Y		Y		Y
Reddin		Y		Y		Y
Cohen		Y		Y		Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-12:
No one from the Public came forward

ORDINANCE #11-13

**AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-18 SCHEDULE X
OF THE TRAFFIC AND PARKING ORDINANCE
OF THE REVISED GENERAL ORDINANCES OF THE CITY OF ENGLEWOOD**

WHEREAS, Chapter 25, Section 25-18 Schedule X restricts parking on certain streets within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the aforesaid Section to modify limitations on parking at designated areas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25-18, Schedule X is hereby amended as follows

Parking shall be prohibited on Huguenot Avenue South which reads "from the westerly curb line of Starling Road to a point 210 feet westerly thereof" between the hours of 10:00 a.m. to 11:00 a.m. (except weekends and holidays).

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

FIRST READING DATE: August 16, 2011

COUNCIL	MOTION	VOTE
Algrant		Y
Rosenzweig		Y
Reddin		Y
Cohen	X	Y
Drakeford		Y

DATE PUBLISHED IN THE RECORD: August 19, 2011

DATES PUBLIC HEARINGS HELD: September 13, 2011

DATE SECOND READING HELD: September 13, 2011

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
Algrant		Y		Y		Y
Rosenzweig		Y		Y		Y
Reddin		Y		Y		Y
Cohen	X	Y	X	Y	X	Y
Drakeford		Y		Y		Y

Public Hearing on Ordinance #11-13:

No one from the Public came forward

Public Comment on Agenda Items:

- Edward Mazlish 20 W. Palisade Avenue:
 - Spoke about the Fair School Funding Plan that is currently before the NJ Legislature.
 - Wants the City Council to adopt a Resolution in support of it.
- Helen Kiphaut 99 Charles Street:
 - Asked for an explanation of Resolution #182.

RESOLUTION # 180-09-13-11

RENEWAL OF LIQUOR LICENSES FOR 2011-2012

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 license(s) 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, 2011 at 12:01 AM and ending June 30, 2012 at 12:00 midnight; and

BE IT FURTHER RESOLVED that a periodic review of all liquor licenses will be conducted during the 2011-2012 license year.

PLENARY RETAIL CONSUMPTION LICENSE #33

0215-33-007-010

Philia LLC (*in Pocket*)

126 Engle Street

LIMITED RETAIL DISTRIBUTION LICENSE # 43

0215-43-021-002

Ventura Walter
t/a Santa Barbara Grocery

79 Slocum Avenue

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Rosenzweig		X			
Reddin		X			
Cohen		X			
Drakeford		X			

AUTHORIZING AWARD OF CONTRACT FOR DPW UNIFORMS

WHEREAS, sealed bids were received on July 13, 2011 for Department of Public Works Uniforms 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 Tabulation Sheet; and

WHEREAS, the bid submitted by Alpine Trading Uniforms, 400 Overpeck Avenue, Englewood, NJ 07631 is in compliance with the specifications and based upon the recommendation of the Purchasing Agent, can be accepted by the City Council; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the base bid submitted by Alpine Trading Uniforms 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 Alpine Trading Uniforms for DPW Uniforms in accordance with the specifications therefore.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Rosenzweig		X			
Reddin		X			
Cohen		X			
Drakeford		X			

Award Contract for Telecommunications Audit

WHEREAS, the City of Englewood is desirous of hiring a vendor to provide a complete telecommunications audit of its existing system with the intent of obtaining credits or refunds for billing overcharges and seeking future savings from the elimination of overcharges and any unused phone lines; and

WHEREAS, the City Manager recommends contracting with Walter A. McDermott Telephone Auditing Services, 40 N. Van Dien Avenue, Ridgewood, NJ 07450 based upon their years of experience and expertise. The audit will include:

- Review of tariff rates to discover discrepancies in rates
- Verification of physical inventory of lines/circuits
- Uncover any incorrect charges to lines/circuits
- Filing claims and follow up with carrier to secure credits/refunds

WHEREAS, the City will seek claims for credits or refunds for overcharges that occurred over the last six years as set by the statute of limitations; and

WHEREAS, Walter A. McDermott Telephone Auditing Services' fee is fifty-percent of any credit or refund received by the City of Englewood and is payable only after the City receives their credit or refund. Walter A. McDermott Telephone Auditing Services will not collect a fee if the City of Englewood does not receive any credit(s) or refund(s).

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 between the City of Englewood and Walter A. McDermott Telephone Auditing Services to provide for a telecommunication audit.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Rosenzweig		X			
Reddin		X			
Cohen		X			
Drakeford		X			

**AUTHORIZE INSERTION OF AN ITEM OF REVENUE AND
AN OFFSETTING ITEM OF APPROPRIATION IN THE 2011 BUDGET**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of a municipality when such item was made available by law and amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the City of Englewood has received notice of grant awards from various State of New Jersey and Bergen County agencies and wishes to amend the 2011 budget to include this amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the total sum of \$10,000.00 which is now available as revenue from:

Miscellaneous Revenues
 Special Items of General Revenues Anticipated with Prior Written
 Consent of the Director of the Division of Local Government Services:
 Revenues:
 National Recreation & Park Assoc. – Take Me Fishing Grant \$10,000.00

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 is hereby appropriated under the caption of:

General Appropriations
 Operations Excluded from CAPS
 National Recreation & Park Assoc. – Take Me Fishing Grant \$10,000.00

BE IT FURTHER RESOLVED that the City Clerk is authorized to forward two certified copies of this resolution to the Director of Local Government Services for approval.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

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

WHEREAS, a Bergen County Community Development grant of \$50,000 has been proposed by Center for Food Action for operation of seven (7) food pantries located in the City of Englewood and six other Bergen County towns; 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #185-09-13-11

**AUTHORIZE INFANT TODDLER DAY CARE CENTER
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. for 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #186-09-13-11

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

WHEREAS, a Bergen County Community Development grant of \$11,500 has been proposed by the Flat Rock Brook Nature Association for environmental education programs for Englewood Public School District students 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #187-09-13-11

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

WHEREAS, a Bergen County Community Development grant of \$185,000 has been proposed by the City of Englewood for the West Palisade Avenue Improvement Project 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #188-09-13-11

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE
A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION
FOR THE DEMAREST AVENUE RECONSTRUCTION PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Englewood formally approves the grant application for the Demarest Avenue Reconstruction Project in the amount of \$280,000.

BE IT FURTHER RESOLVED that the City Engineer is hereby authorized to submit an electronic grant application identified as MA-2012-Englewood City-00352 to the New Jersey Department of Transportation on behalf of the City of Englewood.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Englewood and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #189-09-13-11

**AUTHORIZATION TO ENTER INTO GRANT AGREEMENT WITH
BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND
& HISTORIC PRESERVATION TRUST FUND
FOR THE DENNING PARK SOCCER FIELD PROJECT**

BE IT RESOLVED, that the Mayor and the City Council of the City of Englewood wish to enter into a grant agreement with the County of Bergen for the purpose of using a \$94,500 grant award from the 2009 Funding Round of the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("Trust Fund") for the project entitled Denning Park Soccer Field located in Block 2220 Lot(s) 1.02 on the tax maps of the city of Englewood;

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

BE IT FURTHER RESOLVED, that the Mayor and the City Council hereby authorize Howard Feinstein, Chief Financial Officer to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and the City Council recognize that the City of Englewood is liable for a dollar for dollar match for any funds awarded in accordance with the Trust Fund's requirements.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #190-09-13-11

**AUTHORIZE GRANT APPLICATION FOR BERGEN COUNTY OPEN SPACE,
RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND
FOR THE MACKAY PARK GATEHOUSE PROJECT**

WHEREAS, the City of Englewood desires to restore the Mackay Park Gatehouse that it is currently used by the City's Recreation Department;

WHEREAS, the City of Englewood will allocate \$22,000 in funds to be used towards the non-construction grant for the purpose of developing an Historic Preservation Plan and National Register of Historic Places Nomination for the Mackay Park Gatehouse and for the required matching funds should the grant be successful; and

WHEREAS, the Mayor and the City Council of the City of Englewood have discussed and approved the application at a public meeting on September 13, 2011.

BE IT RESOLVED, that the Mayor and the City Council of the City of Englewood, County of Bergen, hereby authorize the City Manager to sign the application on behalf of the City.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #191-09-13-11

**AUTHORIZE GRANT APPLICATION FOR BERGEN COUNTY OPEN SPACE,
RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND
FOR THE MACKAY PARK PLAY AREA INSTALLATION PROJECT**

WHEREAS, the Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of municipal recreation facilities; and,

WHEREAS, the City of Englewood desires to further the public interest by obtaining a matching grant of \$50,000 from the County Trust Fund to fund the following project: Mackay Park Play Area Installation; and,

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body will hold a public hearing on September 9, 2011 to receive comments and to approve the submission of said application(s); and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project(s).

NOW, THEREFORE, BE IT RESOLVED by the City of Englewood:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of September 1, 2011, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the applicant is committed to providing a dollar for dollar cash match for the project; and,
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
5. That this resolution shall take effect immediately.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #192-09-13-11

MUNICIPAL REPRESENTATIVE FOR BERGEN COUNTY OPEN SPACE COMMITTEE

WHEREAS, the City of Englewood has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2011 funding year of September 1, 2011 through August 31, 2012;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Englewood hereby appoints Merle Simons as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #193-09-13-11

**RESOLUTION IN SUPPORT OF THE REPLACEMENT
OF THE JONES ROAD BRIDGE**

WHEREAS, it has been determined that the bridge on Jones Road over Route 4 is need of replacement; and

WHEREAS, the Federal, State, County and City government entities have consulted on this project and are in agreement as to the work that must be done; and

WHEREAS, the following numbers have been assigned to this project, UPC #950194 and DB # 94064 and this project will be funded by federal and state money; and

WHEREAS, as part of the conditions for the bridge replacement project, the City must pass a resolution supporting the project and approving a detour route; and

WHEREAS, City representatives as well as residents have met with the NJ Department of Transportation to address concerns regarding safety and traffic; and

WHEREAS, a Memorandum has been prepared addressing the comments and concerns (said Memorandum is attached hereto as Addendum A); and

WHEREAS, the NJ Department of Transportation has agreed to implement the traffic and safety measures listed in Addendum A; and

WHEREAS, the NJ Department of Transportation has developed the detour route that best meets the needs of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, through the passage of this resolution supports the replacement of the Jones Road Bridge and the detour route and control devices as proposed provided that and expressly conditioned upon the requirements set forth in Addendum A which is attached hereto and an integral part of this Resolution; and

BE IT FURTHER RESOLVED that the City understands that the NJ Department of Transportation will coordinate construction staging of the project, with the U.S. Army Corp of Engineers, to minimize the closure of Jones Road Bridge.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #194-09-13-11

**AUTHORIZE CENTER FOR FOOD ACTION
APPLICATION FOR A BERGEN COUNTY
HOME INVESTMENT PARTNERSHIPS GRANT**

WHEREAS, a Bergen County HOME Investment Partnerships application of \$80,000 has been proposed by the Center for Food Action for Security Deposit Assistance in the municipality of Englewood; 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 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #195-09-13-11

**AUTHORIZE BERGEN FAMILY CENTER
APPLICATION FOR BERGEN COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS**

WHEREAS, a Bergen County Community Development grant of \$20,000 has been proposed by the Bergen Family Center for the Armory Street Family Intervention 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #196-09-13-11

**AUTHORIZE URBAN LEAGUE OF 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 Urban League of Bergen County for Housing Projects to include; Home Buyer Education/Pre Purchase Counseling and Loan Default/Mortgage Delinquency/Loss Mitigation; 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>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #197-09-13-11

**AUTHORIZING THE ENGLEWOOD PLANNING BOARD
TO DEVELOP A REDEVELOPMENT PLAN
FOR THE LINCOLN SCHOOL REDEVELOPMENT AREA**

WHEREAS, following referral to and a public hearing before the Planning Board of the City of Englewood and favorable recommendations thereon, the City Council of the City of Englewood had heretofore declared the West Street Renewal Area (WESTRA) and the Armory Street Renewal Area (ASTRA) as areas in need of redevelopment pursuant to resolutions adopted on October 16, 1984 and February 17, 1987 in accordance with the former Blighted Areas Act (*N.J.S.A. 40:55-21.1 et seq.*) and the former Redevelopment Agency Law (*N.J.S.A. 40:55C-1 et seq.*) (now encompassed within the Local Redevelopment and Housing Law (*N.J.S.A. 40A-12A-1 et seq.*); and

WHEREAS, in furtherance of the continuing efforts to enhance and revitalize the Lincoln School Redevelopment area and vicinity, the City Council of the City of Englewood as the Redevelopment Agency for the aforementioned redevelopment area finds that it would be most beneficial to direct the Englewood Planning Board to prepare a Redevelopment Plan for the Lincoln School

Redevelopment area and vicinity; and

WHEREAS, upon completion of the Redevelopment Plan by the Englewood Planning Board, said Board will present the Redevelopment Plan to the City Council as the Redevelopment Agency for the ultimate review, consideration and decision.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, State of New Jersey, that the Planning Board of the City of Englewood be directed to prepare a Redevelopment Plan for the Lincoln School Redevelopment area and vicinity, and submit same to the City Council as the Redevelopment Agency for their ultimate review, consideration and decision.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>		X			
<i>Rosenzweig</i>			X		
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>	X	X			

RESOLUTION #198-09-13-11

**AUTHORIZE REJECTION OF BIDS
FOR THE 2011 ROAD IMPROVEMENT PROGRAM**

WHEREAS, sealed bids were received on September 7, 2011, for the 2011 Road Improvement Program, in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, one vendor's bid was improperly received and was not included at the opening; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the bids received for 2011 Road Improvement Program are hereby rejected and that the 2011 Road Improvement Program be rebid in accordance with specifications therefore and following public advertisement thereof pursuant to law.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

RESOLUTION #199-09-13-11

**AUTHORIZE AWARD OF CONTRACT FOR
PURCHASE AND INSTALLATION OF AUDIO SYSTEM**

WHEREAS, quotations were obtained for the Purchase and Installation of Audio System in accordance with specifications therefore; and

WHEREAS, specifications were sent and quotations were received from three vendors, copies of the quotes are attached; and

WHEREAS, the quotation submitted by Gramco Business Communications, 1149 Bloomfield Avenue, Clifton, New Jersey 07012 for the sum of \$6,336.00 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Manager, can be accepted by the City Council; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by Gramco Business Communications 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 Gramco Business Communications for the Purchase and Installation of Audio System 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.

The Chief Financial Officer's Certificate of Availability of Funds is on file in the office of the City Clerk.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Agrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

Public Session:

- Curtis Caviness 41 E. Forest Avenue:
 - Commented that the Time Warner Cable contract should be revisited.
 - Asked whose responsibility is the asbestos remediation at the Liberty School.
- Diana Nicholson 165 Elm Road:
 - Spoke about Noise problems with lawn mowers and Landscapers starting at 7:07AM. Wants the City to enforce the Ordinance.
- Rinda Barclay 283 Rosemont Place:
 - Spoke about her previous request to limit /prohibit parking on snow covered streets.
- Rowan Clarke 304 Rosemont Place:
 - Suggested that the previous speaker can discuss the parking situation with the Rosemont Block Association.

RESOLUTION # 200-09-13-11

PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

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

Litigation and Contract Negotiations

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.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>	X	X			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>		X			
<i>Drakeford</i>		X			

ADJOURN: 9:20PM

Motion: Huttle
All in Favor

Lauren Vande Vaarst, RMC
City Clerk