

**City of Englewood  
City Council Work Shop  
Meeting Minutes**

**November 1, 2011 at 8:20pm**

<u>Roll Call:</u>	Present:	Council member Lynne Algrant Council member Michael Cohen Council member Scott Reddin Council member Jack Drakeford City Manager Timothy Dacey City Attorney William Bailey City Clerk Lauren Vande Vaarst
	Absent:	Mayor/Council President Frank Huttle III Council member Kenneth Rosenzweig

Council President Pro Tem 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.

Discussion on Resolutions # 221 and 222:

- Councilman Reddin asked about Bennett Studio and in which line item is the rental revenue included.
- Councilman Cohen would like more detailed description on the line items.
- Councilman Drakeford spoke about affordable housing and the need for it.

Public Comment on Agenda Items:

- Eugene Skurnick 296 Marlboro Road:
  - Spoke about the EEDC and asked if it is still relevant. What are the legal benefits of the organization? Would like the City Attorney to prepare a report about it.
  - Asked about the current stock of affordable housing and how it is being utilized.

RESOLUTION #221-11-01-11

**Approving the Introduction of the  
Englewood Special Improvement District Budget for FY 2012**

**WHEREAS**, the Englewood Special Improvement District budget for FY 2012 (July 1, 2011 - June 30, 2012) was approved by the Englewood Economic Development Corporation, the District Management Corporation, on September 8, 2011; and

**WHEREAS**, N.J.S.A. 40:56-65 et seq. requires that the budget be introduced and approved by the City Council on two readings of a resolution following a public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Englewood, County of Bergen, State of New Jersey, as follows:

**Section 1.** The following statement of revenues and appropriations represents the Special Improvement District budget for FY 20112.

<u>Revenues</u>		<u>Appropriations</u>	
Business License Fees	\$250,000	Website	\$ 3,000
Clean Communities Grant	30,000	Salaries & Benefits	67,000
Appropriated Fund Balance	50,000	Loan Payments (Biz-W. Palisade)	33,000
		Promotions	125,000
		Improvements & Equipment	27,000
		Advertising & Marketing	75,000
<b>Total Revenues</b>	<b>\$330,000</b>	<b>Total Appropriations</b>	<b>\$330,000</b>

**Section 2.** This budget is hereby approved on first reading by the City Council and the budget shall be published in the Record and a public hearing shall be scheduled at the City Council Workshop meeting on December 6, 2011 at which time fee payers or other interested parties will be heard.

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

RESOLUTION #222-11-01-11

**ENDORSEMENT OF THE HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, the Planning Board of the City of Englewood ("Planning Board"), County of Bergen, State of New Jersey, adopted the Housing Element of the Master Plan on October 25, 2011; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Housing Element is attached hereto; and

**WHEREAS**, the Planning Board adopted the Fair Share Plan on October 25, 2011; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached hereto; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-313, the Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

**WHEREAS**, in connection with the lawsuit captioned ERA South, LLC, et al. v. City of Englewood, et al., Superior Court of New Jersey, Bergen County, Law Division, Docket No. L-233-09 (the "ERA South" matter), the Superior Court has been asked to review the Housing and Element and Fair Share Plan and the zoning ordinances of the City of Englewood ("City") to determine whether the City is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

**WHEREAS**, the Governing Body desires to endorse the Housing Element and Fair Share Plan adopted by the Planning Board and to submit the same to the Superior Court as abovementioned.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Englewood, County of Bergen, State of New Jersey hereby endorses the Housing Element and Fair Share Plan as adopted by the Planning Board; and

**BE IT FURTHER RESOLVED** that the Governing Body of the City of Englewood, pursuant to the provisions of N.J.S.A. 52:27D-313, hereby submits the Housing Element and Fair Share Plan and this petition to the Superior Court for review and requests that the Superior Court enter an Order granting the City of Englewood protection and repose against exclusionary zoning litigation for a ten year period commencing on the date of the Judgment; and

**BE IT FURTHER RESOLVED** that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan shall be included with the submission to the Superior Court; and

**BE IT FURTHER RESOLVED** that notice of the hearing on this matter requesting an Order granting the City of Englewood protection and repose against exclusionary zoning litigation shall be provided in the form and manner as directed by the Superior Court.

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

Resolutions:

- Authorize Extension of Professional Services Contract with Edward J. Buzak, Esq.
- State Contract Purchase – Englewood Police Department

Ordinances:

- Amend Parking on Grand Avenue

### Discussion:

- Kenwood Condo Association:
  - Have been in negotiations with the City for services.
  - Bill Bailey will discuss the proposed settlement with the Council in Closed Session on November 15, 2011.
- Discussion on Revising Ordinance #11-04 (Parking Prohibitions):
  - Council will submit recommendations to City Clerk by November 9, 2011 and this will be on the November 15<sup>th</sup> Agenda.

### Comments from the City Manager:

- Tim Dacey updated the City Council on PSE&G and the power outages:
  - Mayor sent a letter to PSE&G on Monday, October 31, 2011.
  - Two (2) Executives from PSE&G met with the Mayor this morning.
  - As of tonight there were still 3,700 homes without power.
  - PSE&G has been bringing in extra crews from out of state.
  - The estimate is that all the power will be restored by midnight on Thursday.
  - Debris collection will be ongoing this week and next.
  - Power at the Police and Fire Departments was restored early this morning; they were down for 48 hours.
  - PSE&G is currently trying to restore power to all the schools.
  - Two (2) of the pumping stations are back online but the third is still down.

### Public Session:

- Gordon Johnson 387 Murray Avenue:
  - Spoke about Ordinance #11-04.
  - The impact of this Ordinance on the businesses located on W. Palisade Avenue with both sides of the street having No Parking from 10AM to 11AM.
- Wayne Wright 307 W. Palisade Avenue:
  - Owns Headliners Barbershop.
  - Customers cannot park by his shop and have to park far away. Customers have also received tickets.
- Karen Batchelor 279 W. Palisade Avenue:
  - Spoke Owns Eminence Hair Salon.
  - Her customers are having problems parking.
  - The businesses are hard enough to see in this area of W. Palisade Avenue because of overgrown trees and lack of lightening.
- Elle Kelly 350 Shepard Avenue:
  - Concerned that the Council has already missed the first deadline to amend Ordinance #11-04 and would like to see this revised especially in regard to W. Palisade Avenue.
  - Spoke about PSE&G and the power outages especially in the 4<sup>th</sup> Ward.
  - When Councilman Drakeford was City Manager there used to be a tree pruning program, and we need to bring that back.
  - Commented that when the City changed the definition of City trees in the Ordinance from 10 feet from the curb line to 4 feet this put the responsibility of the trees on the property owners.
- Karen Batchelor 279 W. Palisade Avenue:
  - Commented that W. Palisade Avenue is a race track and is extremely dangerous.

### **ADJOURN: 9:40 PM**

Motion: Reddin

All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk