

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

**November 22, 2011 at 7:30pm**

Roll Call: Present: Council member Kenneth Rosenzweig (7:53PM)  
Council member Lynne Algrant  
Council member Michael Cohen  
Council member Scott Reddin  
Council member Jack Drakeford  
Mayor/Council President Frank Huttle III  
City Manager Timothy Dacey  
City Attorney 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 notice as required by the Open Public Meetings Act.

Public Comment on Agenda Items:

- Curtis Caviness 41 E. Forest Avenue:
  - o Stated that the Lease Agreement is long overdue.
  - o Feels that more thought should be put into releasing the \$5 million dollars to the BOE because they are not fiscally responsible.

RESOLUTION #241-11-22-11

**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 \$96,000.00 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:  
Bergen County – Disaster Relief Employment Program  
Hurricane Irene National Emergency Grant \$ 96,000.00

**BE IT FURTHER RESOLVED** that a like sum of \$96,000.00 is hereby appropriated under the caption of:

General Appropriations  
Operations Excluded from CAPS  
Bergen County – Disaster Relief Employment Program  
Hurricane Irene National Emergency Grant \$ 96,000.00

**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.

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

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

RESOLUTION #242-11-22-11

**Authorize Rejection of Bid**  
**“Snow Clearing, Removal and Ice Control**  
**at the City of Englewood Library”**

**WHEREAS**, sealed bids were received on November 17, 2011, for “Snow Clearing, Removal and Ice Control at the City of Englewood” in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

**WHEREAS**, one vendor’s bid was properly received and opened, but the amount of the bid exceeded the budgeted amount for the service; 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 “Snow Clearing, Removal and Ice Control at the City of Englewood” be rejected and that the “Snow Clearing, Removal and Ice Control at the City of Englewood” 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			
<i>Rosenzweig</i>		X			
<i>Reddin</i>		X			
<i>Cohen</i>	X	X			
<i>Drakeford</i>		X			

RESOLUTION #243-11-22-11

**AUTHORIZE LIBERTY SCHOOL LEASE AGREEMENT**

**NOW, THEREFORE, BE IT RESOLVED** that City Council of the City of Englewood formally approves the attached Lease Agreement with the Englewood Board of Education for the Liberty School.

**BE IT FURTHER RESOLVED** that the City Manager is hereby authorized to execute the Lease Agreement between the City of Englewood and the Englewood Board of Education for the Liberty School in accordance with the specifications therefore.

<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		

Discussion:

- **James Street:**
  - Thomas Van Dam, Esq. made the presentation of GLF Realty’s newest proposal for James Street/ Shop-Rite.
    - The new proposal places an emphasis on single-family owner occupied homes.
    - Plans show setback front yards with garages located on the side of the home, increased green space and reduced impervious surface, and the project has been designed to reduce parking demands on James Street.
  - Ken Albert, City Engineer:
    - Reviewed the memo that he had prepared on this latest version of this project.
    - James Street neighborhood is currently zoned R-E, single family residential zone.
    - The setbacks being proposed in the new project are in line with the current zoning regulations for this area.
    - This latest proposal will reduce the density in the area from 23 dwelling units to 8 dwelling units.
    - The plan will allow for a frontage width of 65 feet on residential properties.
  - Comments from the Mayor and Council included:
    - Councilman Cohen commented that this is the first time that the Council is seeing these plans, and they need more time to review them.

- Mayor Huttle explained that this project has been an evolution and this is the latest version. These plans have taken the residents' comments and concerns into consideration, and while this may be the first time that the Council is discussing this plan, it certainly will not be the last time.
- Councilman Cohen inquired about estimated selling prices (Mr. van Dam said that it is estimated to be in the low \$300,000), what would be built first the homes or Shop-Rite and who owns Shop-Rite (Mr. Van Dam said that the Shop-Rite expansion would be constructed first and there are 2 owners, GLF Realty and Shop-Rite, and that they are separate entities).
- Mayor Huttle clarified that the project being presented is GLF Realty's and not the City's. He would also like to see that what is proposed is actually built, and that a Developer's Agreement would be negotiated as part of the approval process.
- Councilman Drakeford would like to hear from the residents, is concerned that people in the neighborhood would not be able to afford these homes, and commented that the builder would have to come before the Planning Board for Site plan approval.
- Councilwoman Algrant asked how close the Shop-Rite expansion would be to the fence and landscaping at the rear of the property (Mr. Van Dam said that it will back right up to it). Also asked the following questions:
  - Elevation of the Shop-Rite as compared to the homes.
  - What can be included in a Developer's Agreement? And to what extent can landscaping and buffer zones be included? (Mr. Albert explained that the Planning Board would determine this).
  - Who would determine the order of what is built first.
  - Realizes that the City cannot dictate if the homes are owner occupied or rented.
  - Commented that the current average lot size is 140 feet deep and in the new proposal will be reduced to 80 feet deep.
- Mayor Huttle mentioned that there are two main documents required for this project; Zoning Ordinance and a Developer's Agreement with the accompanying Planning Board Resolution. The Mayor directed Bill Bailey to mark the Presentation Boards (marked GLF 1-4) so that they can go into the record along with Ken Albert's Memo (marked C1).
- Ken Albert, City Engineer:
  - Reviewed the memo that he had prepared on this latest version of this project.
  - Memo contains two charts. The first chart compares the existing R-E Zone and the proposed changes to the R-E Zone. The chart is being revised further to change the proposed front yard setback from 25' to 20' and the proposed rear yard setback from 20' to 25'. The side yard setbacks will be larger than they currently are.
  - The second chart details each of the 11 lots and the density of dwelling units will be cut in half.
  - Also mentioned that the project would require a Surety Bond; and any landscaping in Shop-Rite's side of a buffer zone would be tied to a CO and would have to be maintained in perpetuity while landscaping on the residential side buffer zone would have to survive for at least two (2) years.
- Councilman Rosenzweig asked why a Single Family Zone has so much Multi Family housing (Mr. Albert explained that neighborhood predates the 1975 zoning ordinances, and includes illegal conversions from the 1930's and 1940's). If we make the proposed housing Single Family residences only would we be destroying the integrity of the neighborhood (Mr. Albert commented that the density is currently too large for this neighborhood).
- Councilman Reddin asked about nuisances caused by lighting and car alarms (Mr. Van Dam explained that Shop-Rite will use fencing and landscaping to minimize the effects of car lights but there is nothing they can do about alarms and remotes). Also asked the following questions:
  - What is the current size of Shop-Rite and how big will it be after the expansion? (Mr. Van Dam answered approximately 56,00sq.ft. and asking for a 22,000 sq. ft. addition (if all the homes on James Street are owned by GLF Realty, currently two of them are not) for a total of approximately 78,000 sq. ft.
  - The timing of what would be built first (Mr. Van Dam said that the Shop-Rite expansion would be constructed first and then the homes).
  - What changes would be made internally to Shop-Rite (Irv Glass answered that more products would be added, the front end would be widened with more checkouts, aisles widened as much as possible and an increase in prepared foods, both kosher and non-kosher).
- Councilwoman Algrant asked about changes to the loading docks (Mr. Van Dam said that there will be no changes to the loading dock area or the current truck traffic pattern).
- Mayor Huttle spoke about the changes in the front and rear yard setbacks, and that the rear yard will go to 31 feet with the buffer. Clarified that there will be a 6 foot fence with plantings at least 6 feet tall in front of the fence. Asked if Shop-Rite is unable to buy the 2 remaining house will they then propose an 11,000 sq. ft. addition (Mr. Glass said no they would still bring a plan in for a 22,000 sq. ft. addition and build what they can).
- Mayor Huttle provided a review of the evolution of this project.
- Councilman Cohen asked about the buffer zone and if requirements for that could be included in the Developer's Agreement. (Mr. Albert restated that Shop-Rite's side of the buffer zone would

be tied to its CO and would have to be maintained in perpetuity while landscaping on the residential side buffer zone would have to survive for at least two (2) years).

- Mayor Huttle provided a wrap-up of the proposed plans:
  - The Mayor and Council want to see the neighborhood restored, want single family homes, and more green space.
  - Thanked GLF Realty and Shop-Rite for coming to present their plans, incurring the cost of preparing them, and for listening to the residents.
  - Wants the Mayor and Council to look at what GLF Realty has proposed, reflect on what the public has said, and think about the restoration of this neighborhood.
  - The Mayor and Council have to consider what kind of requirements they want placed on GLF Realty in the Developer's Agreement.
  - This is a work session and there will be at least 2 more meetings on this issue.
  - The City needs to tell the developer what to build.
  - The Mayor believes in a work process and is not bashful to say the he and Ken Albert met with GLF Realty to discuss proposals.
  - The Mayor pointed out Irv Glass and mentioned his willingness during a major economic downturn to invest millions in the City of Englewood, and that it is important that he is asking for concessions.
  - A new meeting will be called on this issue and the Council will be spending more time in making a decision on this issue.

#### Public Comments on James Street:

- Allyn Luke 72 Grove Street:
  - Asked what the standard lot size is in the R-E zone.
  - Asked if a lot size of less than 100 feet in depth be a violation of the zoning ordinance for this area, also asked about setbacks for this zone.
  
- Ann Dermansky 300 Katherine Street:
  - Asked if this is a concept plan.
  - There are currently 150 foreclosed homes in the 3<sup>rd</sup> and 4<sup>th</sup> Wards.
  - Feels that the proposed 3 and 4 bedroom homes will promote more families with children to move in and this will have an impact on the schools.
  - Concerned with who will buy the homes, and does not want to see the City end up in a few years with exactly the same problems that exist on James Street now.
  
- Will Lee 163 W. Demarest Avenue:
  - Welcomes ideas in the new plan such as single family homes and the expansion of Shop-Rite.
  - Certain aspects that he would like the developer to rethink:
    - Shop-Rite should reduce the expansion from 60 feet to 40-45 feet.
    - This neighborhood has received an advisory designation from the Bergen County Historic Preservation Advisory Board in 2002-2003 as part of the Liberty Historic Neighborhood.
    - The James Street neighborhood was built in response to the railroad (1859 – 1870). He prefers that homes be restored and their unique character saved.
    - If the 45 feet expansion is utilized then current homes can be examined and surveyed as to which of them can be rehabbed, and if new houses are built they can be built to incorporate the character and flavor of the neighborhood.
  
- Suzanne Patzold 312 W. Palisades Avenue:
  - Agrees wholeheartedly with Mr. Lee.
  - Would prefer to see the developer build 1-3 homes at a time and then use the money from those to work on the next houses.
  - Inviting everyone, including Shop-Rite, into her home so they can see what can be done to restore an older home.
  
- Sandy Greenberg 449 Liberty Road:
  - The James Street neighborhood has been long neglected.
  - Wants the Mayor and Council to look at the whole neighborhood and see what can be done to fix it up.
  - Mayor and Council need to keep an eye on the details especially during the building process and maintain what is built there afterwards.
  - Asked Mr. Albert if an ordinance was ever put in place regarding a 15 foot buffer zone between the homes and retail zones. (Mr. Albert explained that was only done in the Light Industrial Zone).
  - Spoke about the width of the lot sizes on the west side.
  - Asked where on the drawings is the buffer zone located. (Mr. Albert explained that it is currently located on the Shop-Rite side and that he feels it would be best to have two buffer zones, one on Shop-Rite's side and the other on the homeowners' side).
  
- Jeanne Hopewell 380 Liberty Road:
  - Has lived here since 1958, and is very concerned with what has gone on in the 3<sup>rd</sup> Ward.

- Why was the road resurfaced on Liberty Road but no curbs put in?
- Adam Brown 186 Elm Road:
  - Has spent his whole career as a residential developer.
  - The City cannot force a developer to build within a certain time period, only the developer can decide when it is financially feasible for them to do so.
  - Restoration of the neighborhood is important and it would be good if the developer could landscape the vacant lots while they await completion so the neighborhood would at least look good.
- Suzanne Patzold 312 W. Palisades Avenue:
  - Reiterated again that it would be good to build only a few houses at a time.
  - Spoke about the buffer zone and that it needs to be higher and wider than currently shown.

Discussion:

- **2012 Budget:**
  - Mr. Dacey stated that all Budget requests for 2012 have been received from Department Heads, and are currently being reviewed by the Finance Department.
  - Expects to present the Mayor and Council with a proposed Budget in December/January.
  - Hopes to have the Budget wrapped up before Howard Feinstein retires at the end of February.
- **Inventory of City Owned Properties:**
  - Mr. Albert explained that there are 137 properties in the database, and he is recommending twenty-two of them for sale to either an adjoining property owner or to subdivide and then sell the buildable lots (buildable lots do not have sewer and/or other issues).
  - Selling the properties to adjoining property owners will increase their lot size and property taxes.
  - The handout that the Mayor and Council received will be placed on the City website.
  - Expects this to be back on the agenda for further discussion at the December 6<sup>th</sup> Workshop.

Public Session:

- Amanda Parness 79 Spring Lane:
  - Is interested in buying half of a parcel of city-owned land that adjoins her property, Block 1204 Lot 10.02 (Mr. Albert stated that this is parkland and cannot be sold).

**ADJOURN: 10:35PM**

Motion: Algrant  
All in Favor

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Lauren Vande Vaarst, RMC  
City Clerk