

CITY OF ENGLEWOOD
CITY COUNCIL WORKSHOP MEETING
MUNICIPAL COURT 73 S. VAN BRUNT STREET
March 12, 2013 – 6:30 pm

OPEN PUBLIC MEETINGS ACT STATEMENT

WORKSHOP AGENDA ITEMS:

- **CLOSED SESSION:**
 - Redevelopment Agreement -- James Street
 - Request For Proposal - Lincoln School
- **RESOLUTIONS FOR VOTE:**
 - 062-03-12-13 Cancellation of the 2012 Emergency Appropriation from Hurricane Sandy
 - 063-03-12-13 Cancellation of the 2012 Emergency Appropriation for Flooding in City Hall
 - 064-03-12-13 Resolution Introducing 2013 City Budget
 - 065-03-12-13 State Contract Purchase of Narrow Band Radio System
- **RESOLUTIONS:**
 - 2012 Reserve Budget Transfers
 - Emergency Temporary Appropriations
 - Resolution Authorizing Redevelopment Agreement for James Street
 - Designate Human Trafficking Awareness Day
 - Resolution in Support of Legislative and Other Initiatives to Promote Public Safety by Reducing Gun Violence
 - Cooperative Purchase -Parking Pay Stations
 - Award of Contract for Preservation of Records
 - Honoring National Public Health Week 2013, April 1 – 5, 2013
 - Authorizing Award of Contract to Purchase Asphalt Hot Patcher for the Department of Public Works
 - Award Professional Services Contract to Birdsall Services Group to serve as a Licensed Site Remediation Professional for the Fire House
 - Award Professional Services Contract to Birdsall Services Group to serve as a Licensed Site Remediation Professional for 18 Army Street
 - Award Professional Services Contract to T&M Associates to serve as a Licensed Site Remediation Professional for Public Safety Complex- Underground Storage Tank
 - Award Professional Services Contract to T&M Associates to serve as a Licensed Site Remediation Professional for Department of Public Works
 - Award Professional Services Contract to T&M Associates to serve as a Licensed Site Remediation Professional for Parking Lot H- Underground Storage Tank
 - Award Professional Services Contract to T&M Associates to serve as a Licensed Site Remediation Professional to Provide an Investigation of Files for 53-58 West Palisade Avenue
 - Authorize Execution of Settlement Agreement with Cross Creek Home Owners Association, Inc.
 - Authorize Lease of Congressional Satellite Office – City Hall for Congressman Bill Pascrell, Jr.
 - Cancellation of Bond Ordinance #02-07(b)
 - Cancellation of Bond Ordinance #03-09(a)
 - Authorize State Contract Purchase of Passenger Van
- **ORDINANCES:**
 - James Street Ordinance
 - Reappropriating Bond Ordinance
- **PUBLIC SESSION:**
- **ADJOURN**

CITY OF ENGLEWOOD

RESOLUTION #062-03-12-13

**CANCELLATION OF THE 2012 EMERGENCY
APPROPRIATION FROM HURRICANE SANDY**

WHEREAS, emergency resolution #239-12-18-12 adopted on December 18, 2012 for \$140,000 was approved by the City Council of the City of Englewood for additional expenses beyond the 2012 Budget; and,

WHEREAS, there were no extraordinary charges to the 2012 Budget in the months following the hurricane through the end of the calendar year; and,

WHEREAS, the expenses incurred due to the hurricane were able to be absorbed within the approved 2012 Budget; and,

WHEREAS, there is really no reason for the Emergency Resolution as no over expenditure resulted from this event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, New Jersey that Resolution #239-12-18-12 be hereby cancelled; and,

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.

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

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #063-03-12-13

**CANCELLATION OF THE 2012 EMERGENCY APPROPRIATION
FOR FLOODING IN CITY HALL**

WHEREAS, emergency resolution #240-12-18-12 adopted on December 18, 2013 for \$175,000 was approved by the City Council of the City of Englewood for damage due to flooding in the basement of City Hall; and,

WHEREAS, only a portion of this expense was immediately required and the balance required further consideration; and,

WHEREAS, the balance of the expenses will be included in the 2013 Current Budget; and,

WHEREAS, there is really no reason for the Emergency Resolution as no over expenditure resulted from this event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, County of Bergen, New Jersey that Resolution #240-12-18-12 be hereby cancelled; and,

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.

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CITY OF ENGLEWOOD

RESOLUTION # 064-03-12-13

RESOLUTION INTRODUCING 2013 CITY BUDGET

The Local Budget of the City of Englewood, County of Bergen, for the calendar year 2013.

BE IT RESOLVED that the statement of revenue and appropriations (as included in the official Budget) shall constitute the Local Budget for the year 2013; and

BE IT FURTHER RESOLVED that the cancellation of unexpended balances of 2012 appropriations are approved and that all adjustments made to the Annual Financial Statement by the Chief Finance Officer are approved; and

BE IT FURTHER RESOLVED that said budget be published in the Record in the April 12, 2013 and a public hearing be held there on April 23, 2013, and that the City Council of the City of Englewood does hereby approve the Annual Budget for the year 2013 in the sum of \$59,515,010.00.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
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CITY OF ENGLEWOOD

Resolution #065-03-12-13

STATE CONTRACT PURCHASE OF NARROW BAND RADIO SYSTEM

WHEREAS, the Federal Communications Commission (FCC) requires that all municipal government and state and local public safety systems using 25 kHz radio systems must migrate to 12.5 kHz narrowband voice channels by the end of 2012.

WHEREAS, the recent system wide failure requires emergency action to ensure the health and safety of Englewood's residents; and

WHEREAS, the City of Englewood is a participant in the State Cooperative Purchase program and has the requirement for radio communications equipment for our public safety system to comply with the FCC narrowband voice channels mandates; and

WHEREAS, funds are available for this purchase from the Capital Improvement Fund and the Chief Financial Officer has provided a certification to this effect.

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 the items on the attached list from Command Radio Communications, Inc. located at 319 Knickerbocker Avenue, Hillsdale, New Jersey 070642 under State Contracts T-0109 and T-1044 for a total of \$642,000.

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RESOLUTION #XXX-03-12-13

2012 RESERVE BUDGET TRANSFERS

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward at the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the previous fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year;

WHEREAS, there is a need for budget transfers due to unforeseen circumstances and the need to provide funds to cover imminent obligations;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the Chief Financial Officer is hereby authorized to make transfers from Current Fund Budget Accounts for the year 2012 where a deficit would possibly occur on or before March 31, 2013 pursuant to and in accordance with provisions N.J.S.A. 40A:4-59, and according to the schedule attached hereto.

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CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

Temporary Emergency Appropriations

WHEREAS, an emergent condition has arisen in that the City of Englewood is expected to enter into contracts, commitments, or payments prior to the 2013 Budget adoption and no adequate provision has been made in the 2013 temporary budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolution adopted in 2013 pursuant to the provisions of Chapter 96, PL 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$31,669,790.00;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that in accordance with the provisions of N.J.S.A. 40A:4-20 emergency temporary appropriations are hereby made in the amount of 17,423,790.00;

BE IT FURTHER RESOLVED that said emergency temporary appropriations will be provided for in the 2013 Budget and a certified copy of this resolution be filed with the Director of the Division of Local Government Services.

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RESOLUTION #XXX-03-12-13

DESIGNATE HUMAN TRAFFICKING AWARENESS DAY

WHEREAS, human trafficking is a borderless crime against individuals that violates the most basic human rights and deprives victims of every shred of personal freedom; and

WHEREAS, human trafficking occurs when a person is recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual or labor exploitation, involuntary servitude, and other types of mental and physical abuse; and

WHEREAS, human traffickers target impoverished and marginalized children, women and men, isolating them from society and supportive networks and exploiting them for personal and monetary gain; and

WHEREAS, human trafficking is the fastest growing criminal enterprise in the world today, and is tied with arms smuggling as the second largest international criminal industry, falling only behind the illicit drug trade; and

WHEREAS, the United Nations' International Labour Organization has estimated that at least 12.3 million adults and children worldwide are currently in forced labor, bonded labor, or forced prostitution; and it is estimated that more people are now harmed by Human Trafficking worldwide than have been at any other point in human history. Approximately 80% of the victims are women and girls, and 50% are younger than age 18; and

WHEREAS, many victims trafficked into the U.S. do not speak or understand English and are unable to communicate to seek rescue. Under U.S. law, any person under 18 involved in the commercial sex industry is considered a Human Trafficking victim; and victims include U.S. citizens and documented immigrants; and

WHEREAS, we recognize that New Jersey is a prime location for Human Trafficking because it is a major national and international transportation corridor and a culturally diverse state; and

WHEREAS, human trafficking is modern-day slavery, a practice that is in direct opposition to the fundamental principles of liberty and human rights upon which our nation was founded; and

WHEREAS, on February 1, 1865, President Abraham Lincoln signed the 13th Amendment to the United States Constitution. Once ratified, it officially outlawed slavery and involuntary servitude except as punishment for a crime; and

WHEREAS, Although the federal government and the State of New Jersey have enacted laws to prosecute human traffickers and protect the victims of human trafficking, traffickers use the techniques to keep their victims enslaved that severely limit self-reporting and that require broad public awareness of human trafficking issues for enforcement and prevention to occur; and

WHEREAS, the New Jersey State Constitution declares that all persons are by nature free and independent and have certain natural and unalienable rights; and

WHEREAS, the people of New Jersey, regardless of political persuasion, creed, race, or national origin, stand together with the global community to protect the fundamental freedoms and rights of all persons, to fight the proliferation of human trafficking in all of its forms, and to assist survivors of modern day slavery; and

WHEREAS, the City of Englewood stands committed to protecting human rights and individual freedom by eliminating human human trafficking; and

WHEREAS, the City of Englewood is resolved to support the goals and ideals of observing a National Day of Human Trafficking Awareness on January 11th of each year and to support all efforts by individuals, businesses, organizations, and governing bodies to raise awareness of and opposition to Human Trafficking; and

WHEREAS, the City of Englewood commends the work of the NJ Coalition Against Human Trafficking for its statewide efforts to end human trafficking through education, advocacy, and assistance to survivors and to increase coordination and visibility of New Jersey's commitment to end human trafficking; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Englewood, County of Bergen, State of New Jersey do hereby proclaim January 11th of each year as: Human Trafficking Awareness Day in the City of Englewood, to raise awareness about the signs and consequences of human trafficking, to promote opposition to human trafficking in all of its forms, and to encourage support for the survivors of human trafficking throughout the State of New Jersey and across the world to put an end to this criminal activity and restore freedom and dignity to its survivors.

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CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

IN SUPPORT OF LEGISLATIVE AND OTHER INITIATIVES TO PROMOTE PUBLIC SAFETY BY REDUCING GUN VIOLENCE

WHEREAS, the epidemic of gun violence is spreading unchecked in cities, suburbs and rural areas across the United States; and

WHEREAS, in the months since 20 school children were murdered in Newton, Connecticut, on December 14, 2012, more than 900 of our fellow Americans, including children, were slain by people with guns; and

WHEREAS, there is growing revulsion among the residents of the State of New Jersey, toward this senseless violence; and

WHEREAS, we are cognizant of our duty as elected officials to protect the safety and security of our friends and neighbors who have trusted us with the opportunity to serve them.

NOW, THEREFORE, BE IT RESOLVED, that Mayor Frank Huttie III and the City Council of the City of Englewood, County of Bergen, State of New Jersey believe the right of the public to be free of and safe from gun violence is of paramount importance.

BE IT FURTHER RESOLVED, that by copy of this resolution we will convey to the federal government and to our elected Senators and Representatives our support of the plan to end gun violence as outlined by President Barack Obama and Vice President Joseph Biden on January 16, 2013.

BE IT FURTHER RESOLVED, that by copy of this resolution, we will convey to Governor Chris Christie and to our elected State Senator and Assembly members our support of the legislative initiatives proposed by Senate Majority Leader Loretta Weinberg and others, along with such other legislative initiatives as may be introduced, to strengthen New Jersey's laws promoting safe and responsible ownership of firearms. We will, from time to time, revisit the issue of gun violence for the purpose of considering further measures to help end the plague of gun violence in our community.

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Resolution #XXX-03-19-13

COOPERATIVE PURCHASE- PARKING PAY STATIONS

WHEREAS, the City of Englewood is a participant in the Cranford Police Cooperative Pricing System (ID # 47-CPCPS) and the City has the requirement to purchase three (3) Parking Pay Stations for the Downtown Parking Garage located on South Dean Street; 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 three (3) Parking Pay Stations through the Cranford Police Cooperative Pricing System for the purchase price of \$XX,XXX.

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RESOLUTION #XXX-03-19-13

AWARD OF CONTRACT FOR RECORDS PRESERVATION

WHEREAS, the City of Englewood suffered extensive flooding in the basement of City Hall on October 27, 2012 prior to Hurricane Sandy due to a burst water pipe. The City had to move 543 cubic feet of water damaged documents, drawings and ledgers to a freezer storage facility in order to prevent further damage to these permanent records. Now the City of Englewood has a requirement to have these records preserved, deodorized, cleaned and boxed; and

WHEREAS, the City issued a Request For Proposal on February 27, 2013 and received on March 19, 2013 to solicit Proposals from Respondents to provide records preservation, and based on professional experience, expertise and reputation, the City Council of the City of Englewood awards a contract for such services to the _____ with offices located at _____, _____, _____ pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined that the value of this contract will not exceed \$XX,XXX in the 2013 operating year; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to _____ to provide record preservation services as outlined in the Request for Proposal, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and _____.

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

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
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CITY OF ENGLEWOOD

Resolution #XXX-03-12-13

HONORING NATIONAL PUBLIC HEALTH WEEK 2013, APRIL 1 - 5, 2013

WHEREAS, this year the City of Englewood celebrates 116 years of public health activities; and,

WHEREAS, public health services and programs are a high priority for the residents of New Jersey, County of Bergen, and the City of Englewood; and,

WHEREAS, public health programs strive to address the underlying causes of ill health, reduce disease and injury, and promote the health of all people: and,

WHEREAS, the first week of April is celebrated as "National Public Health Week" in 46 States, including New Jersey; and,

WHEREAS, public health professionals and community partners who promote public health play important roles in providing for the health and welfare of our citizens, and their efforts are worthy of widespread praise and appreciation; and,

THEREFORE, BE IT RESOLVED, that the City Council of the City of Englewood, Bergen County, New Jersey recognize the contributions and achievements of Public Health and Public Health professionals in addressing the issues of preventable disease, disability, and death in our community.

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RESOLUTION #XXX-03-19-13

**AUTHORIZING AWARD OF CONTRACT
TO PURCHASE ASPHALT HOT PATCHER FOR THE
DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Department of Public Works has a need to replace a 15-year old nonfunctioning asphalt patch machine; and

WHEREAS, three (3) vendors were contacted and quotations were received from all three of them, copies of the quotations are attached; and

WHEREAS, the quotation submitted by McGrath Municipal Equipment, LLC, 36 North Derby Road, Springfield, New Jersey 07081 for the purchase of a new 4-ton RME Asphalt Hot Patcher Trailer for the purchase price of \$24,950, was determined to be the low quote, and based upon the recommendation of the Director of Public Works, can be accepted by the City Council; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purchase; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the quotation submitted by McGrath Municipal Equipment, 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 McGrath Municipal Equipment, LLC, for the purchase of a new 4-ton RME Asphalt Hot Patcher Trailer in accordance with the specifications therefore.

Funding for this project is available from the following source:

- Ordinance 10-28

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RESOLUTION #XXX-03-19-13

**AWARD PROFESSIONAL SERVICES CONTRACT TO BIRDSALL SERVICES
GROUP TO SERVE AS A LICENSED SITE REMEDIATION PROFESSIONAL
FOR THE FIRE HOUSE**

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at the Fire House. The scope of work will include:

- Soils Site Investigation/Remedial Investigation
- Groundwater Remedial Investigation
- Ecological Evaluation/Receptor Evaluation
- Vapor Intrusion (VI) Investigation
- Reporting

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Birdsall Services Group, 611 Industrial Way West, Eatontown, New Jersey 07724 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, is not to exceed \$127,525;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Birdsall Services Group to provide professional services for the environmental site remediation at the Fire House;

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

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

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RESOLUTION #XXX-03-19-13

AWARD PROFESSIONAL SERVICES CONTRACT TO BIRDSALL SERVICES GROUP TO SERVE AS A LICENSED SITE REMEDIATION PROFESSIONAL FOR 18 ARMORY STREET

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at 18 Armory Street. The scope of work will include:

- Soils Site Investigation/Remedial Investigation
- Groundwater Remedial Investigation
- Receptor Evaluation
- Reporting

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to Birdsall Services Group, 611 Industrial Way West, Eatontown, New Jersey 07724 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, is not to exceed \$71,200;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to Birdsall Services Group to provide professional services for the environmental site remediation at 18 Armory Street;

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

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

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RESOLUTION #XXX-03-19-13

**AWARD PROFESSIONAL SERVICES CONTRACT TO
T&M ASSOCIATES TO SERVE AS A LICENSED SITE REMEDIATION PROFESSIONAL
FOR DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at the Department of Public Works

The scope of work will include:

- LSRP Opt-In/Retention
- Updated Receptor Evaluation
- Test Pit Oversight and Sampling
- Preliminary Assessment

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, is \$19,650;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T & M Associates to provide professional services for the environmental site remediation at the Department of Public Works;

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

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

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

I do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the Council of the City of Englewood.

Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

**AWARD PROFESSIONAL SERVICES CONTRACT TO
T&M ASSOCIATES TO SERVE AS A LICENSED SITE REMEDIATION PROFESSIONAL
FOR PUBLIC SAFETY COMPLEX- UNDERGROUND STORAGE TANK**

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at the Public Safety Complex-Underground Storage Tank.

The scope of work will include:

- Redevelop Three (3) Ground Water Monitoring Wells
- Ground Water Sampling
- Soil Borings
- Site Investigation Report

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, is not to exceed \$19,600;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T & M Associates to provide professional services for the environmental site remediation at the Public Safety Complex-Underground Storage Tank;

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

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

**AWARD PROFESSIONAL SERVICES CONTRACT TO
T&M ASSOCIATES TO SERVE AS A LICENSED SITE REMEDIATION PROFESSIONAL
FOR PARKING LOT H – UNDERGROUND STORAGE TANKS**

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at Parking Lot H - Underground Storage Tanks;

The scope of work will include:

- LSRP submission of an Annual Remediation Fee Form, visit DPW site
- Public Notification
- Initial Receptor Evaluation
- Redevelop Three (3) Existing Monitoring Wells
- Ground Water Sampling

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, will not exceed \$11,610;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T & M Associates to provide professional services for the environmental site remediation at the Parking Lot H - Underground Storage Tanks;

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

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

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

AWARD PROFESSIONAL SERVICES CONTRACT TO T&M ASSOCIATES TO PROVIDE AN INVESTIGATION OF FILES FOR 55-63 W. PALISADE AVENUE

WHEREAS, the City of Englewood requires a Licensed Site Remediation Professional (LSRP) to provide professional services for the environmental site remediation at 55-63 W. Palisade Avenue;

The scope of work will include:

- Review Available Files/Site Visit/ Letter Report of Findings

WHEREAS, on the recommendation of the City Engineer, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to T & M Associates, 11 Tindall Road, Middletown, NJ 07748-2792 pursuant to N.J.S.A. 19:44A-20.5 as other than a "Fair and Open" contract as defined therein; and

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

WHEREAS, the City Manager has determined the value of this contract for the scope of services as stated above and in the attached proposal, will not exceed \$5,000;

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

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award this contract and a copy of said certification is on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that a professional services contract is hereby awarded to T & M Associates to provide professional services for the environmental site remediation at 55-63 W. Palisade Avenue;

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

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
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<i>Cohen</i>					
<i>Hamer</i>					

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #056-03-19-13

**AUTHORIZE EXECUTION OF SETTLEMENT AGREEMENT
WITH CROSS CREEK POINTE CONDOMINIUM ASSOCIATION**

WHEREAS, pursuant to New Jersey State Law, N.J.S.A. 40:67-23.1 et seq. municipalities are required to provide certain services to qualified private communities such as solid waste collection, leaf collection and recycling; and

WHEREAS, in lieu of providing such services, municipalities shall enter into an agreement to reimburse a qualified private community for such costs; and

WHEREAS, the City did not provide all services required under the aforesaid Statute and in lieu of same is seeking to reimburse the qualified private community.

BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute, and the City Clerk to attest, an agreement between the City of Englewood and Cross Creek Pointe Condominium Association, for the calendar year 2013, not to exceed \$130, 000, a copy of which will be on file in the Office of the City Clerk and available for public inspection.

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

Resolution #XXX-03-12-13

**AUTHORIZE LEASE OF CONGRESSIONAL SATELLITE OFFICE-
CITY HALL FOR CONGRESSMAN BILL PASCRELL, JR.**

WHEREAS, the City of Englewood is located in the 8th Congressional District and is represented by Congressman Bill Pascrell, Jr.; and,

WHEREAS, in order to provide better access to services and information to the residents of Englewood and surrounding municipalities located within the 8th Congressional District the Office of Congressman Bill Pascrell, Jr. is proposing to open a satellite office in Englewood's City Hall; and,

WHEREAS, the Congressional satellite office will be staffed with a congressional representative two (2) to three (3) days each week with a permanent schedule to be determined in conjunction with the Mayor and City Manager; and,

WHEREAS, the lease will be on a rent-free basis and the Congressman's office will accommodate all necessary costs associated with their work; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, State of New Jersey that the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and the Office of Congressman Bill Pascrell, Jr. to open a satellite office in City Hall in the City of Englewood.

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

Resolution #XXX-03-19-13

CANCELLATION OF A PORTION OF ORDINANCE #02-07(b)

WHEREAS, Ordinance #02-07 appropriating \$1,150,000 was introduced on March 19, 2002 and subsequently adopted on May 7, 2002; and

WHEREAS, the ordinance, titled Various Capital Improvements, contained a sub -section #02-07 (b) originally appropriating \$350,000 and providing for the issuance of \$330,000 in bonds or notes; and

WHEREAS, the project, described as Various Roads (b), has been deemed complete and there remains \$26,493 available; and

WHEREAS, these dollars could be used to fund another capital program; and

WHEREAS, it is the intention of the Chief Financial Officer to cancel this portion of the capital ordinance and re-appropriate the funds into another capital ordinance or into Capital Surplus; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that this portion of Ordinance #02-07(b) in the amount of \$26,493 is hereby cancelled.

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

Resolution #XXX-03-19-13

CANCELLATION OF A PORTION OF ORDINANCE #03-09(a)

WHEREAS, Ordinance #03-09 appropriating \$2,900,000 was introduced on June 10, 2003 and subsequently adopted on July 1, 2003; and

WHEREAS, the ordinance, titled Various Road Improvements, contained a sub-section #03-09(a) originally appropriating \$2,000,000 and providing for the issuance of \$1,900,000 in bonds and notes; and

WHEREAS, the project, described as Resurfacing of Various Roads (a), has been deemed complete and there remains \$86,386 available; and

WHEREAS, these dollars could be used to fund another capital program; and

WHEREAS, it is the intention of the Chief Financial Officer to cancel this portion of the capital ordinance and re-appropriate the funds into another Capital ordinance or into Capital Surplus; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that this portion of Ordinance #03-09(a) in the amount of \$86,386 is hereby cancelled.

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

CITY OF ENGLEWOOD

RESOLUTION #XXX-03-19-13

**AUTHORIZE STATE CONTRACT PURCHASE
OF PASSENGER VAN**

WHEREAS, passenger van vehicles for use by recreation departments have been bid by the State of New Jersey under its Cooperative Purchasing Program; and

WHEREAS, the City of Englewood is a participant in the State Cooperative Purchase program and has the requirement for one (1) replacement passenger van; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available in Capital Bond Ordinance #12-20 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 with Flemington Buick Chevrolet, Flemington, NJ under State Contract A82891 for the purchase of one (1) 2013 Chevrolet Express 3500 1LS 15 Passenger Van for a contract price of \$23,538.

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

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Lauren P. Vande Vaarst, RMC
City Clerk
City of Englewood

EXHIBIT B

CITY OF ENGLEWOOD

ORDINANCE #13-XX

AN ORDINANCE AMENDING ORDINANCES NO. 88-7 AND 89-11, AS CODIFIED INTO THE CODE OF THE CITY OF ENGLEWOOD, CHAPTER 14, ENTITLED "MUNICIPAL LAND USE ORDINANCE", SECTION 4-6, ENTITLED "CENTRAL BUSINESS (CBD-3) DISTRICT; TO WIDEN THE CBD-3 DISTRICT BOUNDARY IN A WESTERLY DIRECTION AS IT ABUTS THE PALISADES COURT SHOP-RITE SUPERMARKET A DISTANCE OF 50± FEET; TO CREATE A NEW ONE-FAMILY RESIDENCE DISTRICT, "R-F ZONE" IN SECTION 4-1, COMPRISED OF LOTS WITH MINIMUM AREAS OF 6,500 SQUARE FEET, LOCATED BETWEEN THE WIDENED CBD-3 ZONE DISTRICT BOUNDARY AND THE WESTERLY LINE OF JAMES STREET TO ITS NORTHERLY TERMINUS AT TALLMAN PLACE; AND TO AMEND THE ZONING MAP AS REFERENCED IN CODE SECTION 2-2 TO REFLECT THESE CHANGES

WHEREAS, the CBD-3 District encompasses what is commonly known as the "central core" of Tax Block 610, including the Palisades Court / Tallman Place Shop-Rite, a 55,000 square foot supermarket, and the surrounding mini-mall, excluding the commercial properties abutting North Van Brunt Street and West Palisade Avenue and the residential lots on the east side of James Street; and

WHEREAS, to allow for assembly of the central core from multiple owners, the City opted for redevelopment under Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. and, once assembled into common ownership, the City planners and governing body chose in 1989 a zoning scheme known as "planned development", which is defined in the Municipal Land Use Law to include one or more subsets of planned development; and

WHEREAS, one of those subsets, chosen by Englewood for the central core, was a "planned commercial development", defined in N.J.S.A. 40:55D-6 to mean:

... an area of a minimum contiguous or non-contiguous size as specified by ordinance to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses or both and any residential and other uses incidental to the predominant use as may be permitted by ordinance; and

WHEREAS, the introductory statement of "Purpose" in Code Section §4-6.1 confirms the intention of the 1989 City Council to treat the area as a "planned commercial development", and Code §4-6.4 establishes the minimum requirement of seven (7) contiguous acres and

WHEREAS, the Shop-Rite has presented a case for expanding its footprint an additional 20,000 square feet, predicated upon the need to expand the array of foods demanded by a remarkable ethnic variety of consumers in the Englewood population and the catchment area beyond the City limits – which consumer population includes Asians, Asian Indians, Hispanics and Orthodox Jews; and that without the expansion, the supermarket interests claim that the supermarket cannot maintain both its competitive edge by adequately serving these ethnic communities; and

WHEREAS, it is the intention of the Mayor and Council of the City of Englewood, New Jersey to ensure that the land use arrangement of residential and commercial uses reflect sound planning design; and

WHEREAS, it is the intention of the Mayor and Council to impose suitable regulatory controls to ensure appropriate development in the City; and

WHEREAS, it is the intention of the Mayor and Council to amend the CBD-3 District by expanding this zone by approximately 60 feet in depth toward James Street to enable enhancements to the character of on-site commercial development, encompassing a portion of Block 610 Lots 21 through 31, as shown on the accompanying zone map; and

WHEREAS, the amendment to the CBD-3 District includes parking modifications for retail and supermarket use because the City seeks to enhance the refurbishment of the existing supermarket and associated retail activities in the CBD-3 District which shall improve the availability of goods for the neighborhood; and

WHEREAS it is recognized that, in order to facilitate the enhancement of this supermarket and associated retail activities, adjustment to parking calculations are necessary; and

WHEREAS the existing retail and supermarket spaces are delineated at a ratio of 1 parking space per 256 square feet of floor area and the proposed ratio of 1 parking space per 275 square feet of floor area is proposed as an appropriate parking ratio within this district to ensure the expansion of the supermarket to serve the resident population without any adverse impact on the site; and

WHEREAS, it is the intention of the Mayor and Council to create new R-F One-Family Residential District, encompassing a portion of Block 610 Lots 21 through 31, as shown on the accompanying zone map, to encourage the development of detached single family residential dwellings; and

WHEREAS, it is the intention of the Mayor and Council to achieve the above in a manner that ensures the City of Englewood land use policies serve to promote several purposes of the Municipal Land Use Law, including "promoting more efficient use of land", and "providing sufficient space in appropriate locations for a variety of residential and commercial uses"; and

WHEREAS, the proposed rezoning shall result in an improvement over the current state of the existing site development, thereby furthering a number of purposes of the City's Master Plan; and

WHEREAS, the proposed rezoning shall reinforce the neighborhood's established residential character, and is generally consistent with, the City's established attached residential densities; and

WHEREAS, the proposed rezoning results in residential development that will be in close proximity to the downtown district, which is consistent with sound planning principles that encourage new housing opportunities near commercial centers;

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

SECTION 1: Chapter 250 of the Code of the City of Englewood, entitled "Land Use", Part 4, entitled "Zoning", Article IX, entitled "Zoning Districts and Zoning Map", Section 250-54, entitled "Establishment of Districts", is hereby amended with the inclusion of the following:

One-Family Residential District.....R-F

SECTION 2: Section 250-55, entitled "Zoning Map", is supplemented by adding new paragraph 35 as follows:

35. The district boundaries established by the aforesaid map are amended so as to designate the following described premises as being within the One-Family Residence R-F District: Block 610 Lots 21-31 (partial).

The rear portion of Block 610 Lots 21-31 is rezoned as CBD-3 District.
See attached zone map for location and relocation of zone district lines.

[MAP TO BE PREPARED; ILLUSTRATION OF K. ALBERT DATED NOVEMBER 3, 2011
IS APPENDED]

SECTION 3: Section 250-59, entitled "One-family residence districts", subsection A.(1) is hereby supplemented to include the R-F District, with the following criteria:

B. Permitted uses. Within the R-F District, 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:

(1) Detached single-family residential dwellings and other uses as permitted in, and regulated for, the R-E Zone.

(2) Accessory uses within a principle building as permitted in, and regulated for, the R-E Zone.

D. Accessory buildings and structures. As permitted in, and regulated for, the R-E Zone, except as specifically set forth herein.

Swimming pools, courts, and all paved areas such as interior sidewalks, driveways, patios, platforms, fencing, and lighting shall comply with the following setback requirements and height limitations:

(1) **Front Yard:** Not permitted, except for sidewalks extending from the interior driveway to the front door of the dwelling, and vehicular driveways.

(2) **Minimum Side Yard:** 3 feet, provided that where the City approves an interior sidewalk for the purposes of providing pedestrian access from the street to the CBD-3 Zone, the sidewalk shall be permitted to be placed two feet from the side yard line.

(3) **Minimum Rear Yard:** 10 feet

(4) **Maximum Fence Height:** 6 feet

(5) **Maximum Light Height:** 12 feet

(6) **Maximum Illumination on Adjacent Lots:** 0.2 foot candles max.

H. Minimum lot size requirements. Within the R-F Zone, a principal building shall comply with the following minimum area, yard, bulk and height requirements, provided however, that if greater dimensions are required for any particular use pursuant to other provisions of this ordinance, then such greater requirements shall apply:

Minimum Lot Area: 6,500 square feet

Minimum Lot Width: 80 feet

Minimum Lot Depth: 80 feet

I. Yard requirements.

Minimum Front Yard: 20 feet

Minimum Side Yard: 10 feet, Combined Side yards 40 feet

Minimum Rear Yard: 25 feet

In the case of a corner lot, each yard which abuts a street shall be considered a front yard, and all other yards shall be considered a side yard. In such case, the combined side yard requirement may be reduced by 5 feet from 40 to 35 feet, provided that a minimum of 10 feet must be maintained for at least one side yard. Additionally, on corner lots a front yard may be reduced by 10 feet

J. Regulations concerning yards, planting areas, fences, etc. A planting area, which, except as otherwise permitted herein, shall consist entirely of grass or other living plants, shall be provided within all of the following described areas adjacent to each side lot line and the rear lot line of each lot:

Minimum Area adjacent to each side line: 3 feet

Minimum Area adjacent to rear line: 10 feet;

provided, however that where the municipality approves an interior sidewalk for the purposes of providing pedestrian access from the street to the CBD-3 Zone, a sidewalk shall be permitted to be placed two feet from the side yard line.

Subsection J.(4) is hereby amended to include reference to the R-F Zone so it reads to indicate "that cornices and cantilevered roofs may project ...into any required yard in an R-D, R-E and R-F district a distance of not more than 12 inches."

K. Height limitations. Maximum principal building height: 30 feet

L. Prohibited uses. In addition to the prohibition set forth in this Section, there shall be a prohibition of front loading garages facing a public right-of-way, except on a corner lot.

Maximum accessory building height: 12 feet, provided that the provisions applicable to chimneys, bulkheads, spires, and similar decorative features as regulated shall apply.

M. Maximum coverage.

Maximum building coverage: 25 percent

Maximum impervious coverage: 50 percent

Buffer: Minimum 6 foot rear yard buffer where adjacent to a nonresidential zone.

SECTION 4: Section 250-64, entitled "Central Business (CBD-3) District", is hereby amended and supplemented as follows:

F. Yard requirements.

(2) Where a lot abuts a detached residential district, a yard of five (5) feet shall be required on that side of any lot which abuts a detached residential district. However, where a lot abuts a residential district and a six-foot wide planted evergreen buffer is provided by means of an easement on the residential lot, the 5-foot setback shall be construed as being met; provided, however, the foregoing waiver shall not be applicable and shall be required to be met where it abuts parking.

J. Floor area ratio. The following shall be substituted for existing criteria:

(1) The sum of the area of all principal and accessory buildings and structures, including parking structures, within a planned commercial development within the Central Business District (CBD-3) shall not exceed **forty-five (45%) percent** of the area of the site.

(2) The sum of the area of all floors of buildings or structures, excluding parking structures and excluding common areas and stairs for **office use**, within a planned commercial development within the Central Business District (CBD-3) shall not exceed **forty-five (45%) percent** of the area of the site.

(3) The sum of the area of all floors of buildings or structures developed for **retail use** shall not exceed **forty (40%) percent** of the area of the site.

K. Building length. The following shall be substituted for existing criteria:

No building shall exceed **350 feet** in length.

L. Parking. Subsection (2)(a) is amended as follows:

The minimum number of parking spaces required for all retail and supermarket uses within this district shall be one (1) space for each 275 square feet of floor area.

SECTION 5: Each section of this Ordinance and every subsection hereof shall be deemed independent, separate and distinct from all other sections, and the holding of any section or a part hereto to be unconstitutional, void, or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any section or part hereof.

SECTION 6: All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

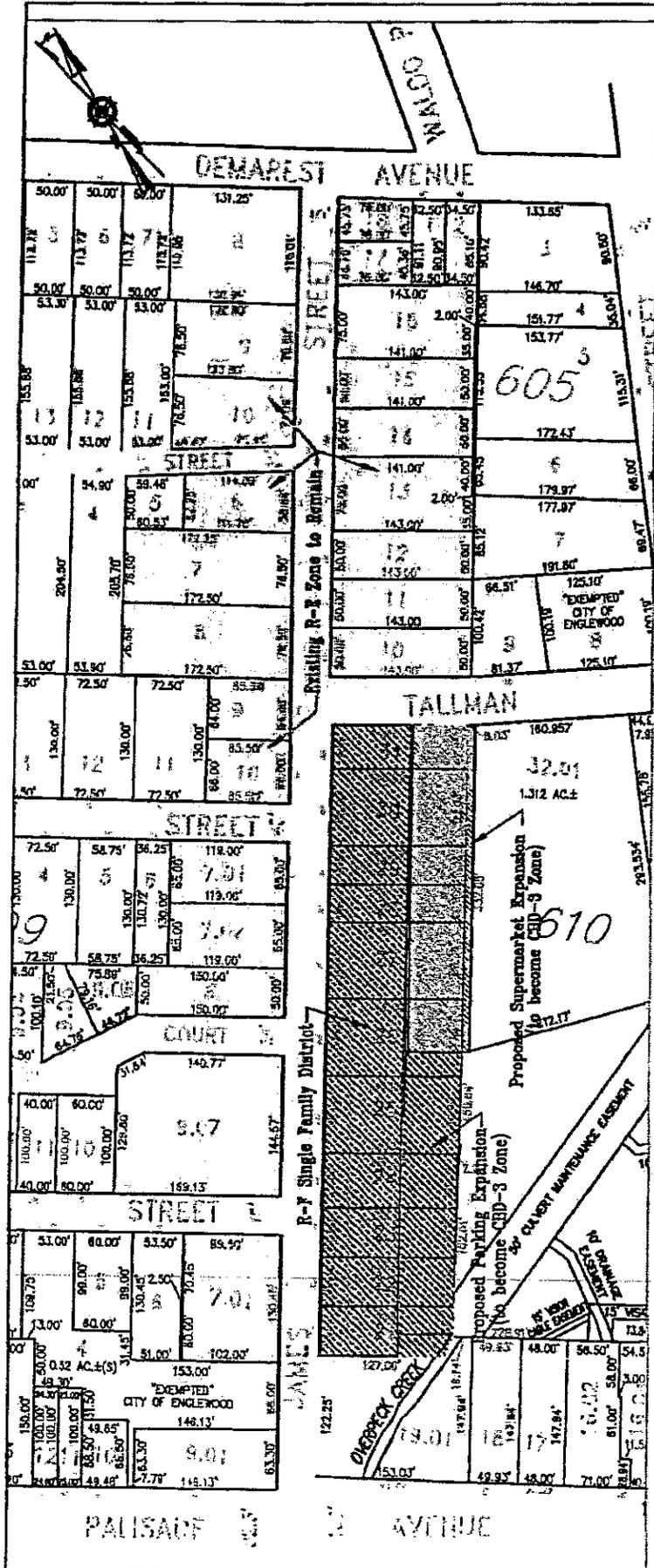
SECTION 7: This Ordinance shall take effect upon passage and publication as required by law.

EXHIBIT A

**BLOCK0605
LOT 8**

**BLOCK 0610
LOT 1, 2.01, 2.02, 2.03, 3, 4.01, 4.02, 5, 6, 7.01, 8, 9, 10.01, 11.01, 12.01, 13.01, 14, 15, 32.01,
32.02, 33.01**

EXHIBIT C



November 3, 2021



K. ALBERT ASSOCIATES, INC.
 Professional Engineers
 Professional Planners
 8 Paul Street, Englewood, New Jersey, 07639
 Phone: (973) 261-1100

IMPACT OF NEW R-F ZONE

R-F Zone, East side of James Street, 1.19 Acres @ 1 unit/6,500 sq. ft. = 8 dwelling units

Area to be rezoned in the CBD-3 Zone = 0.84 Acres

Total proposed number of units on east side of James Street = 8 units

Current conditions have 23 units in this area

EXHIBIT D

Minimum Design Standards

1. Each residential unit shall have three bedrooms and 2 and ½ baths.
2. All bathroom and kitchen fixtures shall be American Standard, Kohler, or equivalent as approved by the City Engineer including kitchen fixtures, sink faucets, tubs and shower faucets.
3. Front entrance door shall be decorative fiberglass simulated wood-grain.
4. Electrical service and wiring shall include both phone and TV jacks in sufficient locations to avoid any surface connections. The jacks shall be fully wired and connected to a central box such that all phone and/or cable connections need only be wired to the basement.
5. Cabinets and Countertops: Kitchen cabinets shall be made of wood or wood composite. Kitchen and bathroom countertops shall NOT be made of "Formica" or equivalent products but shall be quartz, stone, custom concrete, granite or equivalent.
6. Kitchen Appliances shall include a microwave, stove and dishwasher for all units. Clothes washer and dryer hook-ups shall be installed in each unit.
7. Each unit shall have a front porch.
8. Each unit shall have a rear patio of at least 150 sq. ft. or a rear deck of at least 150 sq. ft.
9. There will be siding, not stucco.



CHARLES STREET

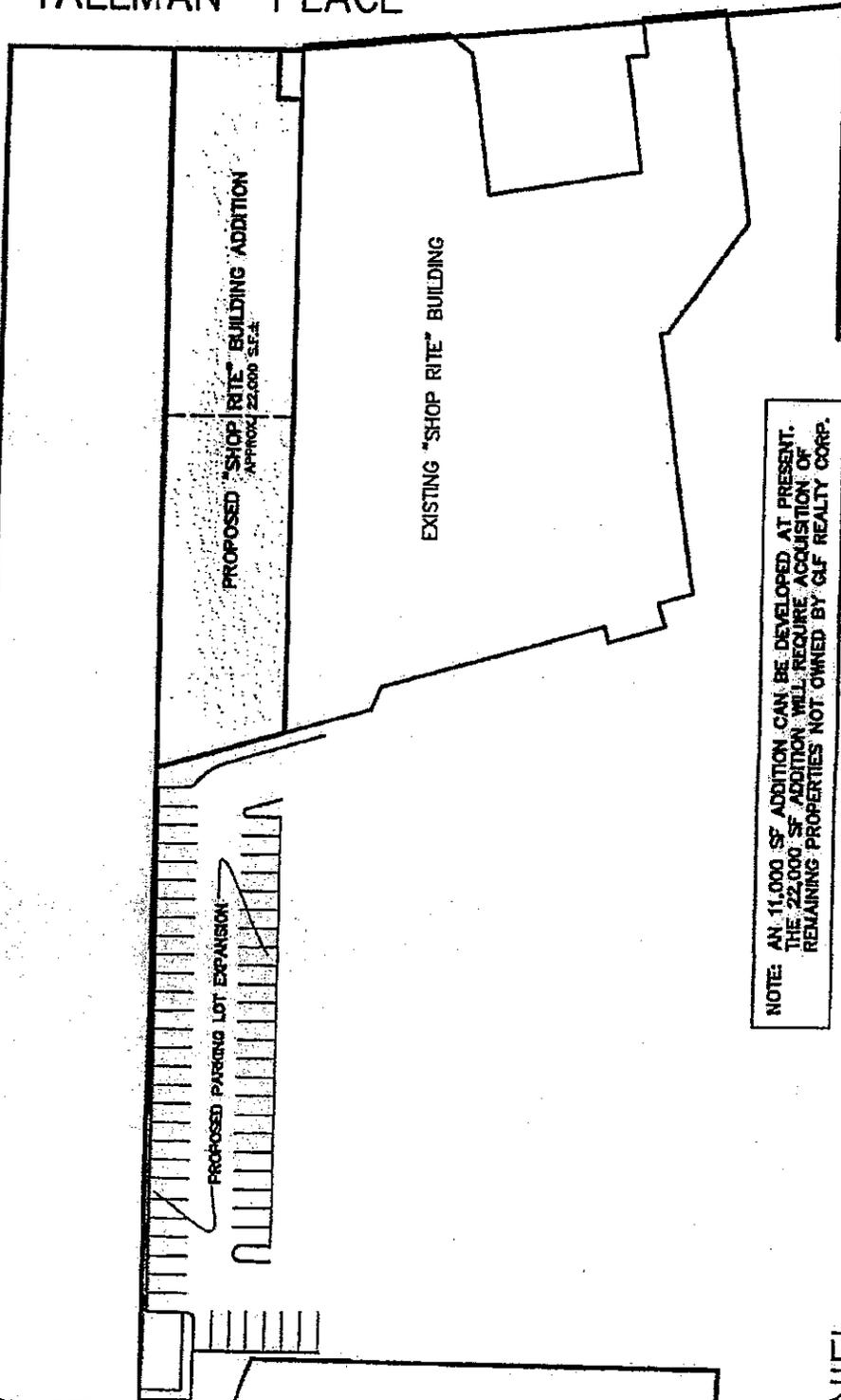
JAMES COURT

JAMES STREET

JAMES STREET

GROVE STREET

TALLMAN PLACE

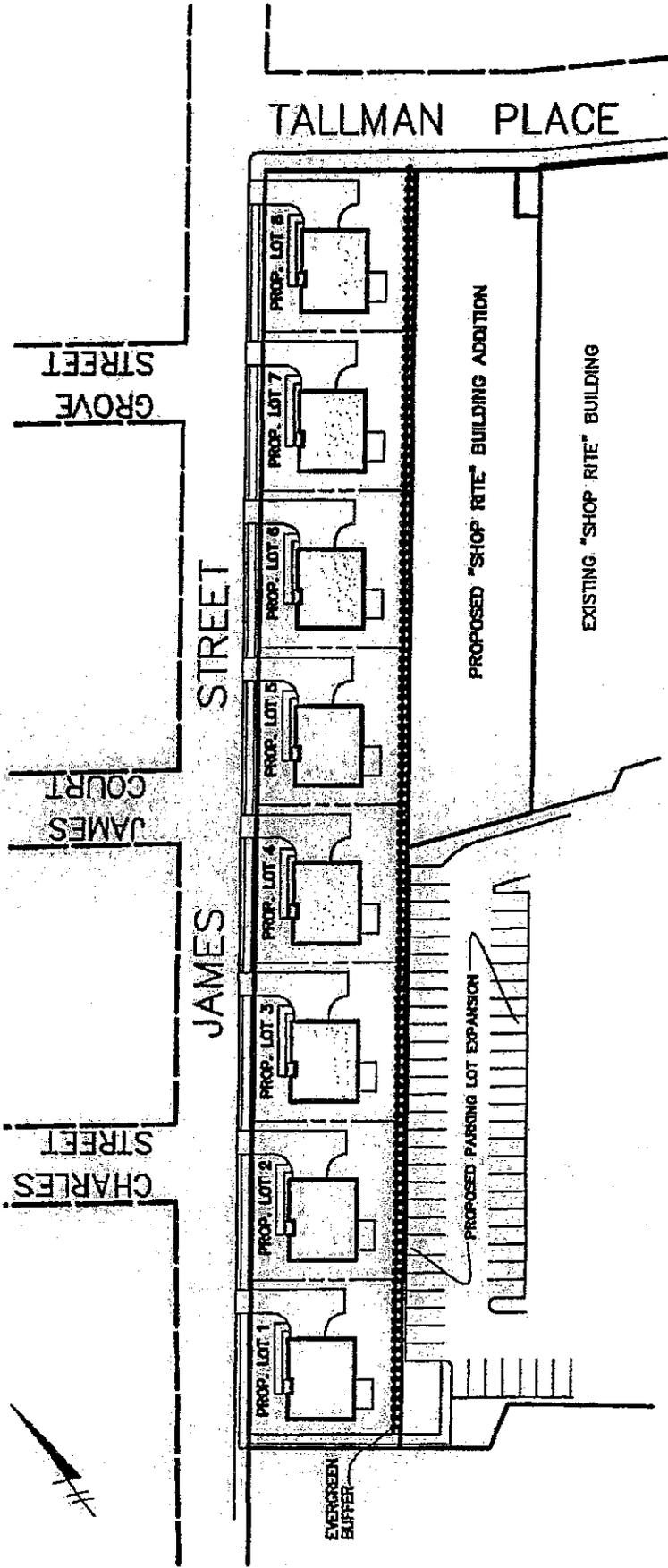


PALISADES COURT

NATHANIEL PLACE

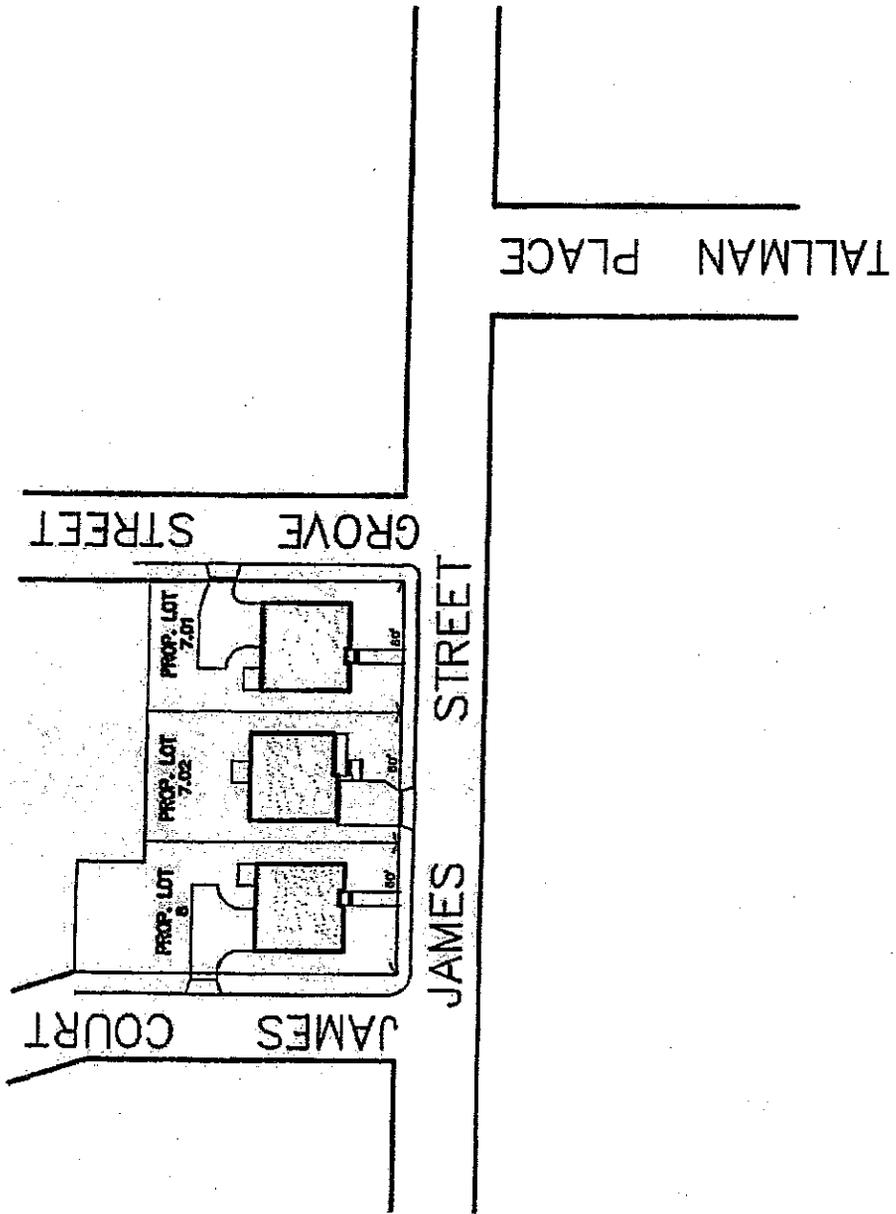
NOTE: AN 11,000 SF ADDITION CAN BE DEVELOPED AT PRESENT. THE 22,000 SF ADDITION WILL REQUIRE ACQUISITION OF REMAINING PROPERTIES NOT OWNED BY GJF REALTY CORP.

SHOPPING CENTER EXPANSION EXHIBIT E-1



NOTE: LOTS 1-4 CAN BE DEVELOPED AT PRESENT.
 LOTS 5-8 REQUIRE ACQUISITION OF REMAINING
 PROPERTIES NOT OWNED BY GLF REALTY CORP.

RESIDENTIAL REDEVELOPMENT EXHIBIT E-2



RESIDENTIAL REDEVELOPMENT EXHIBIT E-3

ORDINANCE #13-XX

AN ORDINANCE AMENDING ORDINANCES NO. 88-7 AND 89-11, AS CODIFIED INTO THE CODE OF THE CITY OF ENGLEWOOD, CHAPTER 14, ENTITLED "MUNICIPAL LAND USE ORDINANCE", SECTION 4-6, ENTITLED "CENTRAL BUSINESS (CBD-3) DISTRICT; TO WIDEN THE CBD-3 DISTRICT BOUNDARY IN A WESTERLY DIRECTION AS IT ABUTS THE PALISADES COURT SHOP-RITE SUPERMARKET A DISTANCE OF 50± FEET; TO CREATE A NEW ONE-FAMILY RESIDENCE DISTRICT, "R-F ZONE" IN SECTION 4-1, COMPRISED OF LOTS WITH MINIMUM AREAS OF 6,500 SQUARE FEET, LOCATED BETWEEN THE WIDENED CBD-3 ZONE DISTRICT BOUNDARY AND THE WESTERLY LINE OF JAMES STREET TO ITS NORTHERLY TERMINUS AT TALLMAN PLACE; AND TO AMEND THE ZONING MAP AS REFERENCED IN CODE SECTION 2-2 TO REFLECT THESE CHANGES

RECORD OF VOTE

FIRST READING DATE:

COUNCIL	MOTION	VOTE
Algrant		
Forman		
Skurnick		
Cohen		
Hamer		

DATE PUBLISHED IN THE RECORD:

DATES PUBLIC HEARINGS HELD:

DATE SECOND READING HELD:

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

Y=YES N=OPPOSED A=ABSTAINED AB=ABSENT

PRESENTED TO MAYOR:

APPROVED _____

REJECTED _____ (VETO)

MAYOR FRANK HUTTLE III

I do hereby certify that the foregoing is a true and exact copy of an Ordinance adopted and approved by the Mayor and Council of the City of Englewood.

Lauren P. Vande Vaarst, RMC
City Clerk

CITY OF ENGLEWOOD

ORDINANCE #13-XX

**ORDINANCE REAPPROPRIATING \$112,879 PROCEEDS OF
OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN
ORDER TO PROVIDE FOR VARIOUS CITY OF ENGLEWOOD
ENVIRONMENTAL REMEDIATION PROJECTS AND OTHER
RELATED EXPENSES IN
AND BY THE CITY OF ENGLEWOOD,
IN THE COUNTY OF BERGEN, NEW JERSEY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$112,879 of the proceeds of obligations originally made available pursuant to Section 3(a) of Bond Ordinance No. 03-09 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted July 1, 2003 (the "Ordinance") and to Section 3(b) of Bond Ordinance No. 02-07 of the City of Englewood, in the County of Bergen, New Jersey (the "City"), finally adopted May 7, 2002 (the "Ordinance"), are no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$112,879 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for environmental remediation projects and including all work and materials necessary therefore or incidental thereto.

Section 3. The capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ORDINANCE #13-XX

**ORDINANCE REAPPROPRIATING \$112,879 PROCEEDS OF
OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN
ORDER TO PROVIDE FOR VARIOUS CITY OF ENGLEWOOD
ENVIRONMENTAL REMEDIATION PROJECTS AND OTHER
RELATED EXPENSES IN
AND BY THE CITY OF ENGLEWOOD,
IN THE COUNTY OF BERGEN, NEW JERSEY**

RECORD OF VOTE

FIRST READING DATE:

COUNCIL	MOTION	VOTE
Algrant		
Forman		
Skurnick		
Cohen		
(Vacant)		

DATE PUBLISHED IN THE RECORD:

DATES PUBLIC HEARINGS HELD:

DATE SECOND READING HELD:

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

Y=YES N=OPPOSED A=ABSTAINED AB=ABSENT

PRESENTED TO MAYOR:

APPROVED _____

REJECTED _____ (VETO)

MAYOR FRANK HUTTLE III

I do hereby certify that the foregoing is a true and exact copy of
an Ordinance adopted and approved by the Mayor and
Council of the City of Englewood.

Lauren P. Vande Vaarst, RMC
City Clerk