

City of Englewood
City Council Work Shop
Meeting Minutes

April 9, 2013 at 7:30pm

A Workshop Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held in the Municipal Court in the Public Safety Building commencing at 6:30 P.M.

Roll Call: Present: Council member Marc Forman
Council member Michael Cohen
Council member Eugene Skurnick
Council member Wayne Hamer
Council member Lynne Algrant
Mayor/Council President Frank Huttle III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

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.

Swearing-In Of Replacement Fire Fighter:

- Mayor Huttle swore in Robert Chace as a Probationary Fire Fighter

Presentation Of Fire Fighter Service Award

- Fire Chief Gerald Marion presented Fire Fighter Jason Bertero with the Englewood Fire Department's Community Service Award for his work in the community of Englewood as a Coach and Tutor for the City's youth. Joey Reyes, a student tutored by Fire Fighter Bertero was present for the ceremony.

ORDINANCE #13-04

AN ORDINANCE AMENDING ORDINANCES NO. 88-7 AND 89-11, AS CODIFIED INTO THE CODE OF THE CITY OF ENGLEWOOD, CHAPTER 250, ENTITLED "MUNICIPAL LAND USE ORDINANCE", ARTICLE XI, 250-64 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 ARTICLE IX, 250-54 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 THE CODE, ARTICLE IX, 250-55 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 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.

FIRST READING DATE: March 19, 2013

COUNCIL	MOTION	VOTE
Algrant		AB
Forman	X	Y
Skurnick		Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: March 22, 2013

DATES PUBLIC HEARINGS HELD: April 9, 2013

DATE SECOND READING HELD: April 9, 2013

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

Public Hearing on Ordinance #13-04:

- Sandy Greenberg 449 Liberty Road:
 - Wants a clarification from Councilman Forman as to the discussions at the Planning Board regarding this ordinance.
 - Does not understand how the Council can pass this ordinance when they just received the letter from the Planning Board. Feels that this letter adds items and wants the Planning Board and Council to be mindful of the letter.
- Suzanne Patzold 312 W. Palisade Avenue:
 - Agrees with Mrs. Greenberg and has the same concerns.
 - Would like a downstairs room that can be converted to a bedroom to be considered.

Mayor and Council comments on Ordinance #13-04:

- Councilman Hamer wants a full understanding of the letter dated April 8, 2013 from the Planning Board. *Mayor Huttie reviewed the letter.*
- Councilman Skurnick explained that the adoption of this Ordinance #13-04 is the final step and sets the legal parameters. He further explained that if #13-04 is not passed tonight then the Redevelopment Agreement will be null and void. Some good things are in the ordinance such as; only eight (8) single family homes will be built instead the 100 which was discussed in the past, the project has to be built within a 3 year timeframe and after that the tax bill will need to be paid and the amenities are included. His concerns are that GLF has not acquired 2 major properties for the project, design criteria of the homes should be useful for seniors and wants all of the information that was agreed to by the Planning Board at the meeting of April 4, 2013 to be recorded in the Public Record. Does feel that the City will see an improvement in the Downtown and the James Street area because of the project.
- Councilman Cohen said that the Council was shown the exterior drawings for the homes and he has never heard GLF say that they are opposed to making the homes amenable to seniors.
- Mayor Huttie spoke about the City Council and Planning Board having gone through the process. He would like the Planning Board to include the April 8, 2013 letter in their records.
- Councilman Forman explained that at the April 4, 2103 Planning Board Meeting there was no action formally taken to make changes to the downstairs sections of the homes, and the property owners have the right to do want they want to.

ORDINANCE #13-05

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.

FIRST READING DATE: March 19, 2013

COUNCIL	MOTION	VOTE
Algrant		AB
Forman		Y
Skurnick	X	Y
Cohen		Y
Hamer		Y

DATE PUBLISHED IN THE RECORD: March 22, 2013

DATES PUBLIC HEARINGS HELD: April 9, 2013

DATE SECOND READING HELD: April 9, 2013

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

Public Hearing on Ordinance #13-05:

No one from the Public came forward to speak.

Mayor and Council comments on Ordinance #13-05:

- Councilman Skurnick spoke about the Engineering firms and the legal problems that Birdsall is embroiled in. The City must do the work that is required or we will be in violation of NJDEP rules, so we have to use engineering firms that have licensed LSRPs even if they have participated in pay to play.

Public Comment on Agenda Items:

No one from the Public came forward to speak

Mayor and Council Comments on Agenda Items:

- Councilman Skurnick made a point of order about voting on items at a Workshop meeting.
- Mayor Huttle explained that he had put the Workshop system into place; and the general rule is that items are to be voted on at Council Meetings but sometimes items have to be voted on at Workshops.
- Mr. Dacey explained that Resolution #088 cannot wait due to the upcoming BAN sale. Resolution #089 is renewal of the contract from 2012.
- Councilman Hamer asked if we are using other vendors as well.
- Councilman Cohen asked if cars are included as well, only Fire Trucks and DPW Trucks.
- Councilman Skurnick asked for clarification as to whether or not vehicles other than Fire Trucks and DPW trucks will be excluded.
- Mr. Dacey prefers that the Council sends in questions when they receive their packets so time is not wasted at meetings.
- A Motion was made on Resolution #089-04-09-13 by Councilman Forman and seconded by Councilman Cohen. The Motion was defeated and the governing body went into Closed Session in order to discuss this matter.
- Councilman Skurnick was disturbed that the City Manager cannot answer questions regarding this Resolution without going into Closed Session and that the rest of the Council seems to be disinterested. Mr. Bailey explained that it has to be discussed in Closed Session because it involves Contract Negotiations.

City Council went into Closed Session at 8:55PM and reconvened in Open Session at 9:00PM

RESOLUTION #091-04-09-13

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

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

Contract Negotiations

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

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- () Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.

() Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

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

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
Algrant	X	X			
Forman		X			
Skurnick			X		
Cohen		X			
Hamer		X			

RESOLUTION #088-04-09-13

APPOINT MUNICIPAL BOND COUNSEL

WHEREAS, the City of Englewood requires the services of professional bond counsel for the 2013 operating year; and

WHEREAS, on January 8, 2013 the firm of Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C. was appointed to serve as Bond Counsel for the City of Englewood for the 2013 operating year, but due to an unforeseen retirement this firm can no longer represent the City of Englewood as Bond Counsel and the City must appoint new Bond Counsel for the remainder of 2013; and

WHEREAS, on the recommendation of the City Manager, the City Council has determined, based on professional experience, expertise and reputation, to award a contract for such services to the Law Office of John G. Hudak, Esq., LLC, with offices at 813 North Wood Avenue, Suite 304, Linden, New Jersey 07036, 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 exceed \$17,500 for the remainder of 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

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 Law Office of John G. Hudak, Esq., LLC to provide professional bond counsel services, and the City Manager and City Clerk are hereby authorized to execute and attest to an agreement between the City of Englewood and Law Office of John G. Hudak, Esq., LLC;

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
<i>Algrant</i>		X			
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #089-04-09-13

**AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH THE
BOROUGH OF PARAMUS TO PROVIDE VEHICLE REPAIRS**

WHEREAS, the City of Englewood and the Borough of Paramus seek to enter into an Interlocal Services Agreement wherein the Borough of Paramus will provide labor and maintenance services on vehicles owned by the City of Englewood; and

WHEREAS, both of the parties to such an Agreement are authorized by law to enter into an agreement with one another to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, the governing bodies of the City of Englewood and the Borough of Paramus recognize that the implementation of an Interlocal Agreement to provide labor and maintenance services is in the best interest of the taxpayers of the respective municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Englewood hereby authorizes the execution of an Interlocal Services Agreement with the Borough of Paramus for a period of one (1) year.

BE IT FURTHER RESOLVED, that the Agreement shall commence on January 1, 2013 and end on December 31, 2013.

BE IT FURTHER RESOLVED, that the cost of the same shall be as set forth in the agreement, which is attached hereto.

BE IT FURTHER RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that the City Manager is hereby authorized to execute an Interlocal Services Agreement between the City of Englewood and the Borough of Paramus for vehicle repair and maintenance.

BE IT FURTHER RESOLVED that the Agreement shall take effect upon the execution of same and adoption of the Resolutions by both parties as provided by law.

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained on file and open to public inspection at the office of the City Clerk.

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

RESOLUTION #090-04-09-13

**RESOLUTION PROCLAIMING 2013 NATIONAL INFANT IMMUNIZATION WEEK (NIIW)/
VACCINATION WEEK IN THE AMERICAS (VWA)**

WHEREAS, vaccines are among the 20th Century's most successful and cost-effective public health tools available for preventing disease and death; and

WHEREAS, National immunization levels are at or near record highs for most vaccines and most vaccine-preventable diseases have been reduced by 99 percent or more since the introduction of vaccines; and

WHEREAS, children need a series of vaccinations, starting at birth, to be fully protected against 14 potentially serious diseases; and

WHEREAS, Immunizations are one of the most important ways parents can protect their children against serious diseases; and

WHEREAS, National Infant Immunization Week (NIIW) focuses local and national attention on the importance of timely immunization for infants and toddlers 2 years old and younger; and

WHEREAS, in the years since its inception, National Infant Immunization Week (NIIW) has served as a call to parents, caregivers, and healthcare providers to participate in activities and recognition events to increase the awareness of immunizing children before their second birthday; and

WHEREAS, this year, during NIIW, the United States will be joining with the Pan American Health Organization (PAHO) in support of Vaccination Week in the Americas (VWA) to promote immunization in all countries of the Americas; and

WHEREAS, the week of April 20-April 27, 2013 has been declared National Infant Immunization Week to help ensure that children have all their vaccinations by the age of two.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Englewood, Bergen County, State of New Jersey do hereby proclaim the week of April 20-April 27, 2013 as INFANT IMMUNIZATION WEEK in the City of Englewood, County of Bergen in the State of New Jersey and encourage businesses, government agencies, national organizations, community-based organizations, and service groups to spread the immunization message throughout their communities. The Mayor and City Council also encourage public and private health care providers, parents, and children's caregivers in this the City of Englewood to advance the health of children by ensuring early and on-time immunization against preventable childhood diseases.

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

Resolutions for Discussion:

- Corporate Governance Best Practices for Council Meetings Guidelines and Procedures
 - Reviewed by Bill Bailey. Purpose of Resolution is to facilitate meetings so they run better.
 - Mayor and Council Comments:
 - Councilwoman Algrant wants to trim the time allowed for the Council to speak.
 - Councilman Forman agrees with her, and would like the time cut from 10 minutes to 5 minutes.
 - Councilman Skurnick said that it appears to him and residents that he had spoken with on this matter that it is an attempt to limit discussion which will stifle and control debate. Control of the meetings is left to the Council president which may lead to poorer dialogue amongst the Council and the Public.
 - Councilman Cohen said that the Council President has been appropriately guiding the Council meetings but the members are repeating themselves and going in circles. Would prefer that Council Workshops take place in a room that would be more conducive and allow the members to face each other and does understand that the problem of constraints in the available meeting rooms.
 - Mayor Huttie spoke about his and Councilwoman Algrant having made an effort to introduce Best Practices since they got into office in 2010. The ten (10) minute rule is in Robert's Rules of Order and germane refers to the question being discussed itself.
 - Councilman Skurnick feels it is an attempt to give extra powers to the Council President.
 - Councilwoman Algrant feels that no one has dominated or controlled discussions more than Councilman Skurnick. A pattern has been set and the Mayor and Council have reached a level where we cannot get the business of the City done. Does not want the Mayor and Council to be the lowest common denominator, but we are. Thanked Bill Bailey for his work on this and for providing the governing body with a vehicle to enable it to work together.
 - Mayor Huttie quoted U.S. Senator Patrick Moynihan, "right to make a decision but not the right to make up the facts". This Resolution repeats what is in Robert's Rules of Order.
- Award of Contract West Palisade Avenue Infrastructure Improvement Project
 - Mayor and Council comments:
 - Councilman Skurnick asked for resident input on the project and spoke about the islands.
 - Councilman Hamer would like to see the plans for this project and also Lincoln Street.
- Award of Contract for Lincoln Street Reconstruction
 - Mayor and Council comments:
 - Councilman Skurnick asked what the budgeted cost is. Mr. Albert explained that a sanitary sewer line has to be replaced so project costs have increased. Councilman Skurnick is concerned that the additional money will be taken from another project. Mr. Albert said that he will provide this information but the City will have significant savings on other projects and we will be receiving grants so projects do not have to be cut.
- Award of Contract for Preservation of Records
- Rescind Professional Service Contracts with Birdsall Service Group to Provide Services as a Licensed Site Remediation Professional
- Award Professional Services Contract to _____ to serve as a Licensed Site Remediation Professional for the Fire House

- Award Professional Services Contract to _____ to serve as a Licensed Site Remediation Professional for 18 Armory Street
- Award Professional Services Contract to _____ to serve as a Licensed Site Remediation Professional for Department of Public Works
- Authorizing Award of Contract for Cleaning Services
- Authorize State Contract Purchase of Jeep
 - Vehicle will replace Fire Inspector's vehicle.
- State Contract Purchase of Imaging System for Digitizing of Records for Code Enforcement Department
- Award Professional Services Contract to RSC Architects for the Provision of Professional Architectural Services for the New Fire House
 - Mayor and Council comments:
 - Councilman Skurnick understands that RSC Architects are preeminent in designing Firehouses and dealt with them as a member of the Building Committee of the EPSD for Grieco School. They are number 8 on the Pay to Play list in Bergen County but he will be voting Yes to hire them.

Ordinances:

- Capital Bond Ordinance
 - Reviewed by Time Dacey.
 - Mayor and Council Comments:
 - Councilman Skurnick asked if there are any changes in the Capital Bond Ordinance.
 - Mr. Albert explained that additional funding was added to Park Improvements and also including the repair of the Library steps. He will provide the Mayor and Council with the current information.
- Flood Control Areas
 - Reviewed by Time Dacey and it was explained that this section was inadvertently left out of the Codification and has to be put back in.

Public Session:

- Helen Kiphaut 99 Charles Street:
 - Spoke about garbage pickup and lack of regular pickup. *Mr. Dacey explained about the new Union contract and that the issues have been resolved in regard to garbage pickup.*
 - Everyone should watch the Fort Lee City Council meetings to see how they run their meetings.
 - Spoke about Free Speech.
- Shirley Smith 374 W. Palisade Avenue:
 - The residents on W. Palisade Avenue want to be part of the process for what is being done on their roadway.
 - Problem with traffic and 2 hour parking not being enforced.
- Suzanne Petzold 312 W. Palisade Avenue:
 - Provided a history of the Islands on W. Palisade Avenue.
 - Raised beds keep the plants off the roadway and away from the salt and vehicles.
 - The Islands keep vehicle speed down.
 - She is creating a list of trees that could be planted in the Islands to give to Ken Albert.
 - Supportive of Councilman Skurnick and his comments.
- Sandy Greenberg 449 Liberty Road:
 - Spoke about the history of RSC Architects and the original plans for Grieco and Quarles Schools.
 - Asked about the number of bathrooms stated in Ordinance #130-04.
- Jeanne Hopewell Liberty Road:
 - Concerned that the garbage schedule is difficult to follow.
 - Wants the Ice Rink opened because there is nothing else for the children in the neighborhood.
- Sheila Figueroa Humphrey Street:
 - Spoke about the handouts that she gave the Mayor and Council.
- Barbara Stubbs 57 Knickerbocker Road:
 - Asked about the Teamsters (DPW contract).

ADJOURN: 10:28 PM

Motion: Hamer
All in Favor

Lauren Vande Vaarst, RMC
City Clerk