

City of Englewood
City Council Work Shop
Meeting Minutes

August 12, 2014 at 7:30pm

A Workshop Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held at the Liberty School, 12 Tenafly Road commencing at 7:30 P.M.

ROLL CALL:

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

Absent: Council President Lynne Algrant

President Pro Tem Cohen 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.

PRESENTATION:

- James Fedorko, Health Officer presented the Health Department's "Walk with a Leader" program, which is a continuation of the "Englewood to Paris" program and part of the City's "Let's Move" campaign.
- Requesting that the Mayor and City Council to commit to walk 1.5 miles with the group in the Spring of 2015, which they did. Also needs them to contact local leaders to get them involved.
- Plans on asking First Lady, Michelle Obama to come to Englewood and walk with the group. Has spoken to the Janis Dismus Middle School principal and the students will be conducting a letter writing campaign.

ORDINANCE #14-26A

AN ORDINANCE AMENDING THE MUNICIPAL LAND USE ORDINANCE OF THE CITY OF ENGLEWOOD TO CREATE THE "DOWNTOWN REDEVELOPMENT OVERLAY ZONE" ("DRL") FOR THE LINCOLN SCHOOL AND WILLIAMS STREET FIREHOUSE REDEVELOPMENT SITES.

WHEREAS, in furtherance of efforts to enhance and revitalize the Central Business District and vicinity and to further promote the public health, safety, morals and welfare, the City heretofore resolved to redevelop the premises located along West Englewood Avenue to the south and bounded by N. Van Brunt Street to the west, West Palisade Avenue to the north, and Bennett Road to the east, comprising Blocks 2303, 2304 and 2305 as shown on the Tax Map of the City of Englewood, which area has heretofore been declared to be an "Area in Need of Redevelopment" and is encompassed within the "Armory Street Renewal Area" ("ASTRA"); and

WHEREAS, in furtherance of the foregoing, the City of Englewood heretofore adopted Ordinance No. 96-12 establishing a Redevelopment Plan and designating the City Council of the City of Englewood as the Redevelopment Entity for ASTRA; and

WHEREAS, in furtherance of the foregoing, the City of Englewood acquired the former Lincoln Elementary School ("Lincoln School Site") from the Englewood Board of Education, designated as Lot 12 in Block 2305, and has consolidated that site with the William Street Firehouse ("Firehouse Site"), designated as Lot 13 in Block 2305, for a total acreage of approximately 2.5 acres, for the purpose of entertaining an offer of private sale and redevelopment of the consolidated properties (the "Redevelopment Area"), consistent with a Redevelopment Plan to be established by the Planning Board of the City of Englewood and the City; and

WHEREAS, in response to a "Request For Qualifications/Request For Proposals" dated April 12, 2013 ("RFQ/RFP"), BNE Real Estate Group Englewood, LLC, having an address of 16 Microlab Road, Livingston, New Jersey 07039, and Sterling Properties Englewood, LLC, with an address of 600 S. Livingston Avenue, Suite 102, Livingston, New Jersey 07039, separately responded to the said RFQ/RFP and thereafter subsequently merged their respective development interests into the unified entity, **ENGLEWOOD BUILDERS URBAN RENEWAL, LLC** (hereinafter sometimes referred to as "the Redeveloper"), and negotiated a unified proposal with the City; and

WHEREAS, on February 20, 2014, the Planning Board of the City of Englewood adopted a new Master Plan pursuant to N.J.S.A. 40:55D-28 (memorialized on March 6, 2014), having retained, in April 2012, its consultant, Brown & Keener, a division of RBA Group of Philadelphia, Pennsylvania, and completing public forums during the calendar year 2012, followed by a public hearing on the Master Plan draft on January 23, 2014; and

WHEREAS, the Master Plan of 2014 makes the following recommendation:

- D1.3. (at page 50) - Redevelop the Lincoln School and firehouse sites for residential and office and/or arts related uses at a dimension and scale that complements both Palisade Avenue and the adjacent Englewood Avenue residential neighborhood. The development will recapture public investment in the property and should result in William Street façade(s) and streetscape features that make it a beautiful link between Englewood's main street and Mackay Park.

WHEREAS, on February 21, 2014 the City entered into a Memorandum of Understanding with the Redeveloper stating the broad outlines of the parties' agreement to redevelop the Redevelopment Area, consistent with the foregoing Master Plan objective; and

WHEREAS, the parties formalized that commitment by a Redevelopment Agreement dated May 7, 2014, which contemplates a Zoning Ordinance Amendment to facilitate redevelopment of the Redevelopment Area in accordance with the zoning and design criteria originally conceived by the City Council and ultimately negotiated with the chosen redeveloper;

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

SECTION 1. DOWNTOWN REDEVELOPMENT OVERLAY (DRL) ZONE; BOUNDARIES. The DLR zone is an overlay zone bounded by two lots, Lots 12 and 13 on Block 2305, as shown on the appended map entitled "DRL-Downtown Redevelopment Area, Lincoln School Site", dated May 1, 2014.

SECTION 2. ZONING CRITERIA. The following zoning criteria apply to the DLR Zone:

Permitted Uses: Multi-family residential and associated ground floor retail/commercial space.

Minimum Lot Size: Two (2) acres.

Minimum Frontage on a City Street: Two-hundred (200) feet.

Maximum Building Height: Five (5) stories and 60 feet to the top of roof parapet, excluding typical rooftop appurtenances, such as required elevator and stair bulkheads, chimneys, all of which may exceed the maximum height by no more than 10 feet for a maximum of 15% of the roof area. Along Englewood Avenue, the above shall apply to no more than 100 lineal feet. Any frontage above 100 lineal feet along Englewood Avenue shall be no more than 4 stories or 46 feet in height to the top of the roof parapet, for a step-back distance of 35 feet from the property line. At 35 feet stepped back from the property line, the maximum building height shall be 5 stories and 60 feet.

Minimum Front Yards:

William Street – Five (5) feet.

Englewood Avenue – Fifteen (15) feet.

Humphrey Street – Six (6) feet.

Maximum Building Coverage: The maximum building coverage shall not exceed Eighty-eight (88%) percent of the lot size.

Maximum Density: The maximum density shall not exceed eighty (80) dwelling units per acre or one hundred ninety-seven (197) dwelling units in total for the site, whichever is less. The minimum density shall be one hundred sixty-five (165) dwelling units.

Minimum Parking Requirement:

The minimum parking requirement shall be 1.7 vehicles per dwelling unit. There shall be no parking requirement for commercial or other non-residential space.

Parking Space Dimensions:

For indoor residential parking garages or at-grade parking the following shall apply-

- Minimum size parking space – 9 feet x 18 feet for perpendicular parking;
- Minimum size compact parking space - 8 feet, 6 inches x 16 feet for perpendicular parking;
- Maximum number of compact size spaces – 40% of the total parking spaces;
- Tandem spaces for use for the same household only – 10% maximum of the total parking spaces may be tandem spaces; and

Aisle Width: Minimum Aisles shall be 22 feet for full size vehicles and 20 feet for compact aisles.

SECTION 3. DESIGN CRITERIA. The goal of DLR Zone is to encourage high-quality, exemplary architectural design. Traditional and vernacular building architecture and urban design patterns of Englewood shall serve as references for design of new buildings within the Redevelopment Area. The design of new structures shall not replicate architectural styles and detailing found in nearby buildings and new structures shall substantially vary from one another to create diversity within the Facades. Building designs shall comply with the following:

A. Scale and Massing:

Architectural variety is encouraged among the new buildings. Buildings facades should be broken down into vertical segments or bays. Regardless of height, designs should be “wall dominant” with the roof elements less prominent in the overall design. A variety of architectural scales and styles shall be incorporated along frontages.

Human scale elements should be employed at ground level, especially along street frontages and adjacent to entryways. Use of doors, windows, columns, canopies, ornamental grills, and awnings can help establish pedestrian scale.

B. Articulation and Vertical Rhythm:

The relationship of width to height of windows and door openings at ground level should be visually compatible with openings in same building. A clear visual division between the ground floor and upper level floors shall be established using cornice lines, band coursing, windows or similar horizontal architectural elements. There shall be a clearly defined base, middle and top of building, as defined below:

Base: Shall be defined by a horizontal articulation between grade and second floor windows. The articulation can be through a change in materials, change in detail of materials (i.e. brick work and patterning), or introduction of horizontal band course to separate base of building from second and third floors. Linking first two floors of windows into oversized opening with detailed panels between the windows creates a larger scale at the base of the building.

Middle: Shall be defined by regular rhythm of windows, clearly defined bays that are divided into vertical elements through window alignments and groupings. Windows may be joined together to create larger scale opening at the middle of the building.

Top: May be defined by cornice lines, mansard roof with dormers or a change in window type or style on top floor. Mansard roof and dormers may be used to combine two or more floors at the top of the building to reduce perceived building height by incorporate roof materials on the building façade.

Ground floor storefronts should be distinguished from upper floors. Structural rhythms along the streetscape should be maintained even though the architectural design and style of individual stores may vary. Rhythm of ground floor architectural features shall harmonize with rhythm of upper stores. Accordingly, base facades of buildings shall not be continuous and monolithic, but shall incorporate articulation and rhythm from upper stories.

C. Horizontal Rhythm:

Long horizontal street frontages shall be broken down in scale into vertically proportionally pieces with a variety of window types and patterns. Use of bay windows and balconies as architectural features are permitted and can help provide scale and rhythm, but shall not be repetitive. Vertical modulation shall be 12-15 feet and vertical modules shall be organized into two, three, four, and five groupings to create variety across the street façade. No more than 30% of each façade may be compromised of bays. Bays may project up to 4 feet. The design of balconies shall be consistent with the overall architectural design and be compatible with façade materials. No balcony, bay window or other permanent building construction shall extend into any public right-of-way.

Vertical rhythm can be defined using columns, piers, and window design/placement or similar architectural features spaced generally between no less than 20 feet and no greater than 40 feet to create breaks at regular intervals.

D. Pedestrian-scaled Building Height Articulation:

To ensure consistency with the surrounding neighborhood district scale and mass, particularly for buildings over 4 stories above street level or over 40 feet, no less than three of the following architectural elements shall be incorporated into street facing facades:

- Significant horizontal element, such as a cornice or a similar horizontal member, separating 4th and 5th stories with different masonry course work, material and/or above cornice line or horizontal member.
- Mansard roof.
- Decorative window heads and sills.
- Decorative corbels and brackets for cornices and bay windows.
- Decorative bay windows with panels and trim work.
- Brick pattern work and panels.
- Pre-cast concrete or masonry details at columns, piers and keystones.
- Pre-cast concrete or masonry water tables at the building base.
- Decorative pre-cast or brick belt courses.

- Decorative metal fences and railings.
- Juliet balconies.
- Decorative window surrounds.
- Decorative gutters, downspouts and scuppers.
- Awnings and canopies.
- Parapets and chimneys.

A special top floor step-back is required along a portion of the Englewood Avenue frontage. Except for 100 lineal feet along the Englewood Avenue frontage the top floor shall step-back at least 35' from the property line and the maximum building height in the step-back area shall not exceed 4 stories or 46'.

E. Fenestration and Garage Openings:

Windows of similar design, size and material should be similar in design to those in adjacent buildings and conform to the pattern and rhythm of other buildings of similar context. Each building façade shall contain a variety of window styles, groupings, colors and/or mullion patterns. Windows that are in brick facades to be set back from face of brick approximately 4 inches. Windows in siding to be wrapped in a 4 inch (minimum) trim with head and sill detail.

Garage openings, where applicable, will be treated with similarly scaled openings as the windows above them. Garages openings shall be located in the same vertical alignment as windows or decorative grills that relate in color and scale to the windows above them.

F. Street Façade Treatment – Materials:

Front facades which front directly on a street shall have materials which are similar or complementary to those found in traditional and vernacular buildings in Englewood. A variety of materials and colors shall be applied across the building façade to modulate facades into smaller pieces and give each piece an individual appearance and cohesive theme. Façade materials shall be selected and assembled so that the building appears heavier at the base and lighter at the top. Materials shall be used to define the top, middle and base of the building as follows:

- Base: Stone or brick.
- Middle: Brick or Masonry (Bays and Panels may be metal).
- Top: Brick, Metal work or Cement Siding Boards.

The only primary materials permitted are brick, stone, precast stone, and fiber cement planks. The only secondary materials permitted are stucco, fiber cement panels, other masonry, spandrel glass and metal detail. Secondary materials shall be permitted on interior courtyards not visible from public or private streets. The Planning Board, in its sole discretion, may permit additional façade materials on interior courtyards. Any materials not specifically listed as permitted, notwithstanding those façade materials within the Planning Board's discretion, are prohibited. No more than three difference material types should be used on a building's exterior. Color, texture, and pattern variations of primary materials are permitted. All sides of a building within public view shall use the same materials and colors as the primary facades. Metal louvers are permitted to be placed on exterior elevations but cannot become a dominant element in the design of elevations; any louvers must be integrated into the overall design and meet color restrictions as defined herein.

G. Street Façade Treatment – Colors:

Colors commonly described with terms such as neon, fluorescent, Day-Glo, iridescent and similar terms shall not be applied to the exterior surface of any structure. Color palette selection for façade materials should usually be no more than three primary colors. Façade colors should match adjacent colors used for metal flashing paint, caulk and other miscellaneous building components. Exterior colors shall be compatible with adjacent structures. Color schemes shall be used consistently, including both the upper and lower portions of buildings, all sides of buildings, and on elements and details.

Section 3. GENERAL ADMINISTRATIVE PROVISIONS.

A. No building shall be constructed over public rights-of-way in the project area with the exception of freestanding structures ancillary to public plazas and/or pedestrian walkways, which shall be subject to review by the Planning Board.

B. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements to the Redevelopment Area shall be submitted by the developer to the Planning Board of the City of Englewood for review and approval so that compliance of such plans with the redevelopment objectives can be determined. Site plan review shall be conducted by the Planning Board pursuant to N.J.S.A. 40:55D-1 et. seq. (Delete entire sentence - Applications may be submitted for the entire project or in any number of phases.)

C. As part of any site plan approval, the Planning Board may require a developer to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 et seq. Such performance guarantees shall be in favor of the City in a form approved by the City Solicitor. The amount of any such performance guarantee shall be determined by the City Engineer and shall be sufficient to assure completion of site improvements within two (2) years of final site plan approval.

D. All traffic impact studies shall incorporate, as part of the study, all projects approved or proposed in the immediate area. A listing of the projects may be obtained from the City Construction Official.

E. No use or reuse shall be permitted, which, when conducted under proper safeguards, will produce corrosive, toxic or noxious fume, glare, electromagnetic disturbances, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration (60 decibels), or other objectionable features so as to be detrimental to the public health, safety or general welfare.

F. All residential redevelopment proposals and construction plans shall meet or exceed applicable FHA minimum room size requirements prior to approval by the Planning Board.

G. The provisions of this Plan specifying the redevelopment of the project area and the requirements and restrictions with respect thereto shall be in effect for a period of ten (10) years from the date of approval of this Plan by the City Council of the City of Englewood; provided, however, that any development or redevelopment projects that are commenced and/or completed within said ten (10) year period shall be deemed to comply with all applicable laws, so long as they comply with the provisions of this Redevelopment Plan. At the end of this ten (10) year period, the zoning regulations contained herein shall be incorporated into the zoning ordinance of the City of Englewood in accordance with the appropriate State statutes.

H. Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Plan and Chapter 250 (entitled "Land Use") of the Code of the City of Englewood (hereafter "Chapter 250").

I. Upon demolition of existing structures and in the interim period prior to construction of new buildings (if any), the site shall be graded and planted or sodded, with a durable dust free surface.

J. Deviation Requests. The Planning Board may grant minor deviations from the regulations where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. No deviations may be granted which will result in an increase in height or a decrease in setbacks. Further, no deviations may be granted which will result in permitting:

1. A use or principal structure in a district which does not permit such use or principal structure;
2. An expansion of a non-conforming use;
3. An increase in height of more than ten feet or 10% of the permissible height in feet, whichever is less.
4. An increase in the height of the building base exceeding 5% in feet;
5. An increase in the permitted floor area ratio;
6. An increase in the parking ratio of 10%;
7. Breach the minimum or maximum number of permitted stories.
8. Right-of-way width, and pavement width beyond normal adjustments encountered during survey synchronization;
9. Non-completion of minimum open space, parks, or other type of phased improvements required to be implemented; or
10. Deviation from the Impact Fees provisions set forth in this Plan.

K. The Redeveloper shall provide adequate water, sewer and other necessary utilities to the site, to the satisfaction of the City Engineer and the respective utility authority. All costs necessary for infrastructure improvements associated with a development project, off-site as well as on-site, are the responsibility of the Redeveloper.

L. This Redevelopment Plan may be amended at the initiative of the City, consistent with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and subject to the vested rights of a Redeveloper. This Redevelopment Plan may also be amended from time to time at the initiative of a property owner within the Redevelopment Area, consistent with the foregoing statutory procedures. A fee of \$5,000.00 plus all costs for copying and transcripts shall be payable to the City of Englewood for any request by a property owner to amend this Redevelopment Plan.

SECTION 4: SEVERABILITY. 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 hereof 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 5: REPEALER. All ordinances, codes or parts thereof that are inconsistent with this Ordinance are repealed or otherwise modified.

SECTION 6: EFFECTIVE DATE. This Ordinance shall take effect upon passage and publication as required by law.

FIRST READING DATE: July 29, 2014

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

DATE PUBLISHED IN THE RECORD: August 1, 2014

DATE PUBLIC HEARING HELD: August 12, 2014

DATE SECOND READING HELD: August 12, 2014

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

Public Hearing on Ordinance #14-26A:

- Horace Ragbir 51 W. Hamilton Avenue:
 - Feels that this ordinance is a done deal. Wants the Mayor, Council and the City Manager to pay attention as to what the building looks like on paper and what it is actually supposed to look like.
- Curtis Caviness 41 E. Forest Avenue:
 - Asked who is responsible for the environmental remediation at this site. Mr. Bailey and Mr. Dacey explained that on the only Firehouse site needs to be remediated and not the Lincoln School site.
- Councilman Skurnick asked about the Redevelopment Agreement and Mayor Huttle explained that this Ordinance and the Redevelopment Agreement are the documents responsible for setting the building specifications.
- Horace Ragbir 51 W. Hamilton Avenue:
 - Asked about 100 foot area on W. Englewood Avenue.
- Sandy Greenberg 449 Liberty Road:
 - Asked about setbacks and planting of greenery. Commented that she does not want the building to look like Town Centre. Mayor Huttle explained that the catwalks and HVAC system on the roof will not be seen for the most part only small spots and that these items have been negotiated.
 - Hopes that the garages will not look like Town Centre's either. Mayor Huttle stated that you will not see the window bars and the garages will be located in the middle.
 - Sad that the Lincoln School façade is not being saved.
- Ron Grosinger 140 Knickerbocker Road:
 - Asked if the Town Historian could photograph the Lincoln School before it is torn down.

ORDINANCE #14-28

AN ORDINANCE AMENDING CHAPTER 191 FEES OF THE CODE OF THE CITY OF ENGLEWOOD, SECTION 191-12 A and B(7) RECREATION FACILITIES/PROGRAMS

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

Section 1. The following fees, licenses and/or applications found in Chapter 191, Section 191-12A and B(7) Recreation Facilities/Programs within the Code of the City of Englewood, are hereby amended to include the items as set forth on Schedule A, annexed hereto and made part hereof.

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

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

Section 4. This ordinance shall take effect immediately upon passage and publication as required by law.

SCHEDULE A

CHAPTER 191, SECTION 191-12 A and B(7), RECREATION FACILITIES/ PROGRAMS	
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191-12A	<i>\$100.00 Annually, per immediate family with one (1) guest pass per season. Guest Pass is only issued at time of initial registration and will not be re-issued if lost or stolen.</i> <i>Immediate family refers to two (2) Parent(s)/Legal Guardian(s) and their child/children under the age of 18 years old.</i>
191-12B(7)	<i>B (7)</i> Replacement swim membership cards must be purchased at full price: \$30 individual; \$5 senior. <i>The cost of replacement swim membership cards will be: \$10 per individual; \$5 per senior.</i>

FIRST READING DATE: July 29, 2014

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

DATE PUBLISHED IN THE RECORD: August 1, 2014

DATE PUBLIC HEARING HELD: August 12, 2014

DATE SECOND READING HELD: August 12, 2014

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

Public Hearing on Ordinance #14-28:

- No one from the Public came forward to speak.

ORDINANCE #14-29

AN ORDINANCE AUTHORIZING SALE OF LAND WITHOUT PUBLIC AUCTION

WHEREAS, N.J.S.A. 40A:12-13(b) (5) authorizes a private sale of certain lands owned by a municipality where such lands are less than the minimum size required for development, and

WHEREAS, such sale opportunity is limited to the owners of property contiguous to the subject property, and

WHEREAS, the Governing Body has determined that Lot 15.01 Block 2110 meets the statutory criteria, and

WHEREAS, the Governing Body has determined that the sale of said land meets the statutory criteria of N.J.S.A. 40A:12-13(b) (5), that said land is not needed for public purposes, and

WHEREAS, the sale of such land is in the best interests of the City of Englewood,

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Englewood as follows:

1. The Governing Body of the City of Englewood shall offer the land known as Block 2110, Lot 15.01 located on Genesse Avenue, Englewood, as to the owners of the contiguous properties, as shown on the Borough Tax Records, for the minimum price of \$12,800 plus the \$1,500 cost of Appraisal. Block 2110 Lot 15.01 consists of 1,964 square feet as described in the Appraisal Report dated June 2, 2014 prepared by McNerney and Associates which is available for review at City Hall.

2. The sale shall be (limited to the contiguous owners) submitting the highest bid equal to or in excess of the listed price. The terms of the sale shall be that the City shall deliver marketable title, with closing to occur within sixty (60) days of the awarded bid.

3. The Deed of Conveyance for said property shall contain the following restriction which shall be binding upon the heirs, successors and assigns of the purchaser:
 "THE WITHIN LANDS SHALL BE MERGED WITH THE LANDS COMMONLY KNOWN AS LOT 15, BLOCK 2110 WHICH LANDS ARE OWNED BY THE GRANTEE HEREOF. SAID LANDS SHALL HEREAFTER NOT BE USED OR SUBDIVIDED IN ANY WAY EXCEPT AS PART OF A CONFORMING LOT BEING USED IN CONFORMANCE WITH THE USE AND BULK REGULATIONS SET FORTH IN THE ENGLEWOOD LAND USE ORDINANCE AS MAY FROM TIME TO TIME BE AMENDED."

BE IT FURTHER ORDAINED that the Governing Body finds and determines, in accordance with N.J.S.A. 40A:12-13(b) (5) that the minimum purchase price for this property in its setting and as the future use of the property is limited by this Ordinance and is equal to or greater than the fair market value of the subject property based upon appraisals of similar properties and tax assessment practices within the City.

The Governing Body retains the right, as mandated by statute, to reconsider this Ordinance not later than 30 days from the date hereof.

A copy of this Ordinance shall be posted on the bulletin board of the Governing Body and published in the official newspaper of the City of Englewood within five days following the adoption hereof.

Written offers for the property so identified and listed in this Ordinance may be made to the Clerk for the City of Englewood for a period of 20 days following the adoption and advertisement hereof. Offers should be directed by personal delivery per certified mail to 2-10 North Van Brunt Street, Englewood, New Jersey 07631, not later than 20 days after the advertisement. Any such offer shall be accompanied by a certified or bank check in an amount not less than 10% of the bid price, which check shall be made payable to the City of Englewood. All such offers shall be in a sealed envelope with the following printed on the outside:

"Offer to purchase Block 2110, Lot 15.01, submitted by _____ ."

The time within which to submit bids shall close at the conclusion of the 20-day period aforementioned, or such further period, as extended. The City reserves the right to reject any and all bids and to waive any irregularities therein to the maximum extent provided by law. Closing of title shall occur at the offices of Huntington Bailey, L.L.P., 373 Kinderkamack Road, Westwood, New Jersey 07675. Title to be conveyed shall be insurable by a New Jersey licensed title company at regular rates, however, conveyance at the City's option, shall be by quit claim deed. If title is not acceptable, the transaction is void and deposit shall be returned, and the City shall have no other responsibility.

As a condition of sale, the successful bidder shall submit a survey, to be approved by the City Engineer, within 30 days of acceptance of the bid by the City of Englewood. The cost of the survey shall be the sole responsibility of the purchaser.

A further condition of the sale shall be that the purchaser shall file with the County by deed or survey, and that filing costs be the sole responsibility of the purchaser.

Any Ordinance or a part thereof which is inconsistent with the provisions of this Ordinance shall be, and is, hereby amended.

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

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

FIRST READING DATE: August 12, 2014

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

ORDINANCE #14-30

AN ORDINANCE AMENDING CHAPTER 25, SECTION 25-26, SCHEDULE XVI OF THE TRAFFIC AND PARKING ORDINANCE OF THE CODE OF THE CITY OF ENGLEWOOD

WHEREAS, Chapter 25, Section 25-26 Schedule XVI, No Left Turn as designated within the City of Englewood; and

WHEREAS, the Governing Body of the City of Englewood wishes to amend the following Chapter 25, Section 25-26 Schedule XVI, No Left Turn;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey, that Chapter 25, Section 25-26 Schedule XVI, No Left Turn; is hereby amended as follows:

Section 25-26, Schedule XVI, No Left Turn

STREET	SIDE	LOCATION
South Van Brunt	South	At its intersection with Nordhoff Place
Nordhoff Place	West	At its intersection with South Van Brunt Street

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

FIRST READING DATE: August 12, 2014

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

ORDINANCE #14-31

ORDINANCE ACCEPTING A TRAFFIC SIGNAL LOCATED AT THE INTERSECTION OF SOUTH VAN BRUNT STREET AND NORDOFF PLACE EXTENSION

WHEREAS, a traffic signal has been installed at intersection of South Van Brunt Street and the Nordhoff Place Extension in the City of Englewood; and

WHEREAS, the City of Englewood wishes to accept the said traffic signal to the extent required to enforce any violations with respect to same.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Englewood, Bergen County, New Jersey that the traffic signal located at the intersection of South Van Brunt Street and the Nordhoff Place Extension is hereby duly accepted and any traffic violations with respect to said traffic signal shall be enforced and summonses with respect to such violations duly issued.

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

FIRST READING DATE: August 12, 2014

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

Public Comment on Agenda Items:

- No one from the Public came forward to speak.

Resolution #178-08-12-14

COOPERATIVE PURCHASE- THREE (3) AUTOMATED SIDE LOADING SANITATION TRUCKS – CHASSIS AND BODY, CONTRACT NO. 1

WHEREAS, the City of Englewood is a participant in the National Joint Purchasing Alliance (NJPA) under its Cooperative Purchasing Program and the City has the requirement for; three (3) Automated Side Loading Sanitation Trucks- Cab and Chassis, Contract No. 1; and

WHEREAS, the City of Englewood will be purchasing the vehicles under NJPA Contract #102811-NAF through National Auto Fleet Group located at 490 Auto Center Drive, Watsonville, California 95076 for the purchase price of \$421,515.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available from Capital Bond Ordinance #12-20(b) 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) Automated Side Loading Sanitation Trucks- Cab and Chassis, Contract No. 1 under NJPA Contract #102811-NAF through National Auto Fleet Group located at 490 Auto Center Drive, Watsonville, California 95076 for the purchase price of \$421,515.00.

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

RESOLUTION #179-08-12-14

RESOLUTION AUTHORIZING FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF ENGLEWOOD AND ENGLEWOOD BUILDERS URBAN RENEWAL COMPANY, LLC, DATED MAY 7, 2014

WHEREAS, on May 7, 2014, City of Englewood and Englewood Builders Urban Renewal Company, LLC entered into a Redevelopment Agreement; and

WHEREAS, the parties to said Agreement seek to amend same; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Englewood that the City of Englewood hereby agrees to enter into the First Amendment to Redevelopment Agreement in accordance with the terms set forth in the attached draft Amendment; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute any and all documents to effectuate the terms of this Resolution; 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 of the resolution and that same is 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	X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>		X			

RESOLUTIONS FOR DISCUSSION:

- Mr. Dacey reviewed the resolutions for discussion.
- Councilman Skurnick spoke about the resolution regarding the Palisade Viewshed. The consensus was to place it on the August 26th agenda for a vote. Also asked the City Clerk to prepare a resolution in support of the nomination of the US Ambassador to Costa Rica.
 - Authorizing Award of Contract for Brayton Street/Johnson Avenue Reconstruction, Project Number 111226
 - Authorizing Award of Contract for Howell Road/Warren Street Reconstruction, Project Number 111418
 - Award Professional Services Contract to Connolly & Hickey Historical Architects LLC for Preparation of Bergen County Historic Preservation Trust Fund Grant Application for the exterior Renovation of the Mackay Park Gatehouse
 - Award Professional Services Contract to CME Associates to Provide Professional Services for the Professional Engineering, Land Surveying and Permitting Services for the Dredging of Overpeck Creek and Millers Pond
 - Award Professional Services Contract to Acacia Financial Group to Provide Professional Services in Conjunction with the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative
 - Resolution Authorizing a Review of Compliance with Prior Annual Continuing Disclosure Obligations and Participation in the Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative
 - Award Professional Services Contract to Arcari + Iovino to Provide Professional Architectural Services for the Facility Improvements at the Vincente K. Tibbs Early Childhood Development Center

- Refunds Due to State Tax Appeals
- Refund of Tax Overpayment
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2011 Recycling Tonnage Grant
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2012 Drunk Driving Enforcement Fund
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2013 Body Armor Replacement Grant
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2012 Body Armor Replacement Grant
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2012 and 2013 Trolley Contributions
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2013 Clean Communities Grant
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- 2013 Drunk Driving Prevention Grant
- Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2014 Budget- NJ DCA Adolescent Health Grant (prior to 2010)
- Resolution Encouraging Protection of New Jersey Palisades Viewshed

ITEMS FOR DISCUSSION:

- Public Information regarding Affordable Housing
 - Councilman Hamer spoke about the need to add additional new Affordable Housing and to rehabilitate the existing Affordable Housing stock.
 - Mr. Bailey explained that on August 6, 2014 there was a Fairness hearing to approve the City of Englewood's Fair Share Housing and Housing Element Plan. Judge Martinotti verbally gave a decision from the Bench and complemented the City of Englewood for being at the forefront of this issue and for doing a great job.

PUBLIC SESSION:

- Ron Grosinger 140 Knickerbocker Road:
 - Did a presentation on the concept of Parklets, which is when you take 1-2 parking spaces and turn them into a small park in front of a store or a restaurant. You see an increase in business when you get people out of their cars. Showed photographs of various Parklets in San Francisco. Provided handouts to the Mayor and Council. Further explained that this can also be done as an one-day "Parking Day".
 - Mayor and Council comments:
 - Councilman Skurnick spoke about his interest in this project being peaked when Ron presented it to him. Feels that it will add pizzazz and interest to downtown.
 - Councilman Cohen asked where this is going, on S. Dean Street in front of Patisserie Florentine.
 - Mayor Huttie spoke about the EEDC initiative to explore using bump outs at corners to encourage walking with chairs/benches and greenery
 - Councilman Forman commented that the bump outs would also narrow Palisade Avenue and will reduce the distance to cross at the corners.
 - Councilman Hamer spoke about areas by Town Centre and the Women's Rights Information Center on W. Palisade Avenue that might be good locations for Parklets.
 - Councilman Cohen spoke about NYC efforts in their use of traffic initiatives, poor choice of furniture and we need to learn from their mistakes and not repeat them.
- Horace Ragbir 51 W. Hamilton Avenue;
 - Spoke about Ordinance #14-29 and asked who did the appraisal. Glad that the land will be going back on the City tax roll. Mr. Bailey reviewed the law governing this type of land sale. Mr. Dacey explained that this is an orphan lot and it was discovered when the adjoining property had a survey done.
- Laura Vogel 318 Marlboro Road:
 - Thanked Mayor Huttie for attending the Bus meeting held in Tenafly and that the points he made that evening were on target.
 - Spoke about the poor conditions of the Port Authority Bus Station and the high cost of bus service. Further discussed the replacement buses that took over some of the lines in Englewood and that there is no bus service into the 3rd Ward.
 - Mayor and Council comments:
 - Councilman Skurnick said that the City of Englewood has passed a resolution in support of the Light Rail and does not understand why the State and Federal governments would cut bus service while planning to spend millions on the Light Rail.
 - Mayor Huttie would like Ms. Vogel to put her concerns in writing, which she has done and then handed copies out to the Mayor and Council. The mayor further explained that the State Senator and Assembly members are working on this issue.
 - Mr. Dacey said that the problem is the Governor's lack of support for mass transit and that NJ Transit's funding is being cut every year.

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			

ADJOURN: 9:52 PM

Motion: Forman

All in Favor

Lauren Vande Vaarst, RMC
City Clerk