

Approved: 7/24/12

MINUTES OF THE OPEN SESSION MEETING OF  
THE TEANECK TOWNSHIP COUNCIL  
HELD IN THE MUNICIPAL BUILDING COUNCIL CHAMBERS  
TUESDAY, SEPTEMBER 27, 2011

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution 331-10, setting the 2011 meeting dates, sending a copy to THE RECORD, THE SUBURBANITE, THE BERGEN NEWS/SUN BULLETIN, THE JEWISH STANDARD, and THE COUNTY SEAT, filing a copy in the Township Clerk's Office and posting it on the Municipal Building bulletin board, and the Mayor hereby directs that this statement be included in the minutes.

ROLL CALL

MOTION TO GO INTO CLOSED SESSION

Resolution 228-11. Authorize Council to enter Closed Session.

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

Mayor Hameeduddin called the Open Session Meeting of the Teaneck Township Council to order at 8:07 p.m. and asked all those present to rise for the Pledge of Allegiance.

Present: C. Parker, DM. Gussen, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin.

Absent: C. Stern.

Also Present: S. Turitz – Ferrara, Turitz, Harraka & Goldberg Esqs.; W. Broughton, Township Manager, J. Evelina, RMC, Township Clerk, I. Abbasi, Executive Assistant.

MAYOR'S ANNOUNCEMENT

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PRESENTATIONS

1. 25<sup>th</sup> Anniversary Presentation

a. Fire Captain Richard Paratore.

Fire Captain Richard Paratore was honored by Mr. Broughton, Chief Verley and Mayor Hameeduddin for achieving 25 years of service with the Teaneck Fire Department.

Mr. Broughton presented Mr. Paratore with a 25<sup>th</sup> Anniversary watch on behalf of the Township.

Mayor Hameeduddin read a 25<sup>th</sup> Anniversary certificate into the record.

b. Fire Lieutenant Robert McDonough.

Fire Lieutenant McDonough was not present at the meeting to accept his 25<sup>th</sup> Anniversary watch and certificate.

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c. Fire fighter Harvey Grajauskas.

Fire fighter Harvey Grajauskas was honored by Mr. Broughton, Chief Verley and Mayor Hameeduddin for achieving 25 years of service with the Teaneck Fire Department.

Mr. Broughton presented Firefighter Grajauskas with a 25<sup>th</sup> Anniversary watch on behalf of the Township.

Mayor Hameeduddin presented a 25<sup>th</sup> Anniversary certificate into the record and thanked Fire fighter Grajauskas on behalf of the Township residents and Council for his efforts over the past 25 years.

d. Firefighter Edward Riordan.

Fire Fighter Riordan was not present at the meeting to accept his 25<sup>th</sup> Anniversary watch and certificate.

Resolution 236-11 was read into the record by Ms. Evelina.

2. Gianforcaro – Votee Park Soccer – Football Field Project.

Mr. Anthony Gianforcaro of Gianforcaro Architects and Engineers, Inc. delivered a slide show presentation detailing the proposed renovations to the Votee Park soccer fields.

Mayor Hameeduddin inquired whether or not one (1) party would be in charge of the project in order to hold one (1) party accountable in case of any issues with the project.

Mr. Broughton confirmed that one (1) party, Gianforcaro, would be in charge of the Votee Park Turf Field project for the same reason Mayor Hameeduddin cited.

C. Toffler asked Mr. Turitz if this project is being undertaken through a contract reviewed by him.

Mr. Turitz responded that he had to review the file in order to determine whether or not the contract was reviewed by legal counsel.

C. Toffler inquired about the drainage of the park field.

DM. Gussen discussed the swale around Votee Park and clarified C. Toffler's question for Mr. Gianforcaro.

Mr. Broughton responded that the Township is in the process of retrieving permission to receive permission to clean out the current swale.

Mr. Gianforcaro added that the turf field project was not to drain Votee Park field, but to drain the water away from the soccer field.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Ms. Evelina to read the Ordinances by title only.

None.

MEETING OPEN TO THE PUBLIC FOR GOOD AND WELFARE OR PUBLIC INPUT ON ANY MATTERS ON THIS AGENDA

Mayor Hameeduddin inquired whether any member of the Council had any comments prior to opening the meeting to any comments from the public.

None.

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Mayor Hameeduddin declared that any member of the public who wished to be heard came forward and stated their names for the record. Comments were limited to five minutes per person.

Leslie McKeon, Teaneck – discussed the September 20, 2011 Town Hall meeting discussing the renovations to the Old Police Headquarters, requested a summary of said meeting on record; referenced the removal of the Cupola and comments by former Mayor Eleanor Kieliszek, the Manager's comments regarding the fixing of the Cupola, the space available in the current Municipal Building for large meetings, discussed the current proposed plans to remodel the Old Police Headquarters, and requested the Township begin its plans from scratch.

Sarah Rappaport, Teaneck – continued discussing the proposed plans of Old Police Headquarters, the square footage of the staff offices, declining tax revenues, property taxes.

Dr. Alex Rashin, Teaneck – inquired about the restoration and status of the Eleanor Kieliszek Park sign; the color of street signs within the Township; the removal of the Cupola and its status as a symbol; a prior tour of office in the Municipal Building's basement; C. Honis' alleged lack of support for the remediation of basement officers in the Township.

Patricia White, Teaneck – thanked the Township Council for supporting the Advisory Board on Community Relations and their initiative.

Barbara Ostroth, Teaneck – spoke about her experience attempting to amend the sign ordinance to allow the usage of directional Open House signs in the Township; the disconnect of the sign ordinance and its enforcement, and requested said disconnect be worked out with the Police Department.

Howard Rose, Teaneck – discussed the symbolism of the 25<sup>th</sup> anniversary watch given to employees for their service to the Township; inquired as to the ratio of funding spent on athletes from the Township budget; inquired about the useable square footage of the current Municipal Building, proposed square footage of the renovated Old Police Headquarters and connection in between; suggested the outside agency train members of the Advisory Board on Community Relations (ABCR) in community relations; the total cost of running an in-house street sign making equipment and personnel; and balloons being placed on the top of Open House signs.

Alan Sohn, Teaneck – thanked the Township Council for funding the proposal by the ABCR and its purpose; his involvement in the Visioning Process and the benefit he received from his work with the involvement; the clarity of street signs; the usage of the Votee Park soccer fields, and applauded the effort to move towards a synthetic turf field that can be used more frequently.

Art Vatsky, Teaneck – spoke about the condition of the chairs in the Council Chambers; the conditions of the Municipal Building's basement; the Occupational and Safety Health Act; the September 20, 2011 Town Hall meeting; and the effort to make the current Municipal Building leak-proof.

Charles Powers, Teaneck – referenced his prior comments regarding the alleged increase in the Township's Capital budget; crime statistics recently published by the *Bergen Record*; the Mayor's alleged prior comments regarding State Senator Loretta Weinberg's comments regarding the Charter School; the approval process of Resolution 102-11.

There being no further persons who wished to speak, Mayor Hameeduddin declared that the public comment portion of the meeting was closed.

Mayor Hameeduddin inquired whether any member of the Council or the Manager wished to respond to the public comments or whether a member of the Council wished to remove any item from the Consent Agenda and have a separate discussion thereon.

Mayor Hameeduddin thanked Ms. Ostroth for bringing the sign ordinance issue faced by Realtors to his attention. He requested the Township Manager speak to the Police Department to assure that street signs on corners advertising real estate for sale are not removed. He referenced Mr. Rose's comments about the Votee Park soccer field and balloons placed on top of real estate signs and his support for said balloons as a landmark. Mayor Hameeduddin noted that there will

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be more public meetings to discuss the plans for the renovations to the Old Police Headquarters; and emphasized the need to update the Township's infrastructure.

DM. Gussen spoke about the benefit of the improvements to the Votee Park soccer fields; the amount of money spent by the Township on athletics; enumerated sports organizations not funded by the Township; discussed the need for athletics given the rise of childhood obesity; the history of sub-standard athletic facilities; the need to improve the safety for athletic fields; the creation of the Open Space Trust Fund; and the Township's obligation to abide by PEOSH.

C. Honis enumerated her support for improvements to the Municipal Building; discussed the Manager's willingness to make larger improvements to the entire Municipal complex; referenced Dr. Rashin's prior comments regarding the improvement of Township infrastructure; and the process of improvements within the Township to remediate previous problems.

C. Toffler discussed the ability of an individual councilmember to make a stand; the review of contracts; the status of Resolution 102-11 awarding a contract to Arcari + Iovino; the review of all contracts by the Township attorney and preparation of resolutions and ordinances; proclaimed her intent to pull all future contracts on the consent agenda under \$20,000; and the legality Resolution 102-11.

Mr. Turitz defined the components of a contract and in his opinion declared Resolution 102-11 was a contract between the Township of Teaneck and Arcari + Iovino.

Mr. Broughton discussed the history of AIA contract approvals its review by the in-house Qualified Purchasing Agent; the review process of all professional services contracts by the Purchasing Agent; and the reasoning for the contract not being sent to the Township attorney.

DM. Gussen inquired if Resolution 102-11 was a contract.

Mr. Turitz concurred that indeed a contract is present in the form of Resolution 102-11 with Aracri + Iovino that is legally enforceable.

C. Toffler discussed the nature of the AIA contract mainly benefitting the architect and shared her feelings of unease regarding the review of said contract without an attorney.

C. Parker questioned the availability of the Arcari + Iovino file at Mr. Turitz's office and asked if the practice was done in the past with all Professional Services agreements.

Mr. Turitz recommended that all contracts be reviewed by his office, but noted that when his office reviews every contract, the process is slowed down. He noted that he does not review contracts unless he is requested to review contracts by the Council or Manager's Office.

#### CONSENT AGENDA

All matters listed below are considered to be routine in nature by Council and will be enacted by one motion. There will be no separate discussion of these items. If any discussion is desired by Council, that particular item will be removed from the Consent Agenda and will be considered separately.

#### RAFFLES

All subject to approval and conditions applicable with the Legalized Games of Chance Control Commission and pursuant to State Statute.

#### MINUTES

August 16, 2011 – Open Session Meeting (Mayor Hameeduddin, Absent).

#### RESOLUTIONS (Resolution 228-11 – vote taken prior to Closed Session)

- 229-11. Ratify Payments – Chief Financial Officer – August, 2011.
- 230-11. Authorize Online Auction – Vehicles – Copart.com.

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- 237-11. Reject Bids and Authorize Re-Advertisement – Court Game Area Renovations at Phelps and Votee Parks Project.
- 238-11. Authorization Execution of a Rain-Derived Infiltration/Inflow Remediation Agreement.
- 231-11. Authorize Waiver of Uniform Construction Code and Municipal Permit Fees – Hurricane Irene.
- 232-11. Endorse Bergen County Community Development Block Grant – Project REACH.
- 233-11. Endorse Bergen County Community Development Block Grant – Shelter Our Sisters’.
- 234-11. Appoint Adult Member to Youth Advisory Board.
- 235-11. Appoint Member to the FORUM.

**BILL LIST**

Ms. Evelina read the amount of the Bill List into the record. (\$4,542,611.58)

DM. Gussen moved to approve the Consent Agenda, including Minutes, Resolutions, and Bill List, and to dispense with the reading of same inasmuch as it has been posted on the bulletin board all day, except Resolutions 237-11 and Resolution 238-11. Seconded by C. Honis.

Mayor Hameeduddin called on Ms. Evelina for a roll-call vote.

Mayor Hameeduddin declared said items were passed.

**Roll Call**

In Favor: C. Parker, DM. Gussen, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin.

Opposed: None.

Absent: C. Stern.

Abstained: C. Parker (Check #163707), DM. Gussen 163717, Elie (Bill List), Hameeduddin (8/16 Minutes).

DM. Gussen moved to discuss Resolutions 237-11 and Resolution 238-11. Seconded by Mayor Hameeduddin.

Mayor Hameeduddin asked Mr. Broughton why the bid for Resolution 237-11 was to reject the bid.

Mr. Broughton responded that the bid was rejected lowest bid came in higher than the amount budgeted for and thus will have to be re-bid.

C. Toffler asked if Resolution 238-11 was reviewed by Mr. Turitz’s office.

Mr. Turitz responded that his office has indeed reviewed Resolution 238-11 and added a contingency clause to said resolution.

**Roll Call**

In Favor: (C. Parker, DM. Gussen, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin).

Opposed: None.

Absent: C. Stern.

Abstained: C. Parker (Check #163707), DM. Gussen 163717, C. Katz (Bill List), Hameeduddin (Minutes).

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Mayor Hameeduddin declared said items were passed.

#### INTRODUCTION OF ORDINANCES

None.

#### OLD BUSINESS

1. HR 676.

The majority of Council agreed to re-list this item on the next agenda.

#### MISCELLANEOUS

None.

#### NEW BUSINESS

None.

#### COMMUNICATIONS

None.

#### COMMITTEE REPORTS - COUNCIL LIAISONS

None.

#### COUNCIL-LISTED ITEMS

1. *“Change date of final public meeting on Old Police Station plans. Scheduled date October 4<sup>th</sup> is during the week between Rosh Hashanah and Yom Kippur, when many people will find it difficult to attend”*. (C. Toffler)

C. Toffler requested that the fourth discussion of the Old Police Headquarters be re-schedule because it falls between the week of Rosh Hashanah and Yom Kippur.

Mr. Broughton responded that the dates have been advertised since June 30<sup>th</sup> and the October 4<sup>th</sup> meeting will carry on as previously scheduled. He added that if another meeting is needed, he would be more than happy to add an additional meeting to discuss the project.

2. *“Reinstate action list”*. (C. Toffler)

C. Toffler felt it would be helpful to re-instate the action list to help keep Council abreast of the status of projects and tasks.

Mayor Hameeduddin felt that the action list worked well for Council, but not for the management structure. He felt that the Manager was responsible for determine the daily priorities and liked the Manager’s Report more than the Action List.

DM. Gussen suggested calling the Manager’s Office for an update regarding any project in question and suggested Councilmembers ask the Manager during a Council meeting the status of a project in question. He also felt that the action list was a recitation of an entire laundry list rather than receiving an update on specific items.

C. Parker disagreed and felt that the method of handling the list was not fitting for Council meetings. She felt that the action list was beneficial in handling issues that the public brought forward, but at times felt that the ball was dropped for certain action items. She felt it would be helpful to have a list of items that residents bring to the Council to be addressed and resolved.

Mayor Hameeduddin spoke about the coming website’s ability to track residents’ issues and escalate an issue after a set number of days to a higher power such as a Department Head and

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suggested Council ask the Manager for an update on a specific project during the course of a Council meeting as well.

Mr. Broughton felt that no item assigned by Council has fallen through the cracks and all items issued by Council are listed and taken care of in between in Council meetings and Council is informed.

C. Parker noted that some issues have fallen through the cracks in between Managers but an action list helps keep the Council accountable.

Mr. Broughton felt that this action list will add an additional layer of work to the Clerk's work load.

A majority of Council did not support reinstating the action list.

3. *"Hiring an assistant to aid in the completion of the overwhelming OPRA requests". (C. Katz)*

Comment [TOT1]: ←

C. Katz inquired about the possibility of adding an assistant to the Clerk to aide in the fulfilling of the overwhelming amount of OPRA requests.

Mayor Hameeduddin clarified that the Council has already begun consideration to hire a full-time receptionist to aid in the answering of telephone calls for the Township at large so that the Clerk's office would be staffed with two full-time employees assisting the Township Clerk, as is provided by the Clerk's Table of Organization.

Ms. Evelina informed the Council that she is in the process of reassessing the Clerk's Office at large. She spoke about the large volume of OPRA requests and showcased to the Council and public the paperwork resulting from one OPRA request submitted by Mr. Charles Powers. Ms. Evelina discussed the time and effort spent fulfilling said OPRA request by Mr. Powers which includes extensive review of complex requests; distribution to respective Departments for review and formal response and/or the production of records; following up with the applicant within the statutory time limit; collecting responses and/or records from Departments; reviewing extensively submission by other Departments to ascertain what can and cannot be released; producing copies or entering same into the computer network for submission to the applicant; and in cases when the applicant requests hard copies of records, costs must be calculated, charged, receipted and respectively filed in accordance with retention schedule guidelines.

C. Honis asked Ms. Evelina to estimate the amount of OPRA requests she receives in a given day.

Ms. Evelina responded that her office receives approximately 10-15 OPRA requests on a daily basis; however, this amount varies day to day. [As the Custodian of Records, the Township Clerk is responsible for all OPRA Requests; however, every Department within the Township receives these voluminous requests and in various forms. As such, the amount of OPRA Requests received only in the Clerk's Office could not represent the total amount received]. She noted that approximately 50% of the OPRA requests that she is currently receiving are from Mr. Powers and require extensive time extended to the Clerk by legal counsel and her fellow Departments. She enumerated her duties, including but not limited to statutory requirements, requirements by Ordinance, etc., and enumerated the outstanding issues in her Department which existed prior to her appointment as the Township Clerk.

DM. Gussen asked Ms. Evelina to announce the date of her appointment for the Council and the public.

Ms. Evelina responded that she was appointed on February 8, 2011.

DM. Gussen requested that the record reflect that the issues in the Clerk's office predate Ms. Evelina's tenure as Township Clerk, and members of Council did not state any objection.

Ms. Evelina read into the record a page of an OPRA request recently submitted to her office and described the process by which OPRA requests are fulfilled.

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C. Katz inquired if Council has taken any action to hire an additional staff member to assist in the Clerk's Office.

Mayor Hameeduddin responded that no action has been taken at this time; however Council is considering the hiring of a full-time receptionist to service general Township phone calls, to allow her Senior Clerk at the front window to assist Ms. Evelina.

DM. Gussen inquired about the table of organization in the Clerk's Office.

Ms. Evelina responded the Clerk's Office is staffed by the Township Clerk with two (2) Senior Clerks reporting to her, however, given the implementation of the phone system, one (1) Senior Clerk is spending approximately 85% of her time responding to Township telephone calls, not related to the Clerk's Office and assisting members of the public at the front window with general Township inquiries, not related to the Clerk's Office, resulting in the Clerk truly having access to only one assistant.

C. Katz inquired about the additional cost of hiring an additional staff member for the Clerk's Office.

Mr. Broughton responded that a full-time receptionist would be paid approximately \$25,000 excluding benefits.

C. Parker asked if the position could be a part-time person.

Mr. Broughton responded that this is a possibility but will need to be examined.

C. Parker suggested establishing a Deputy Clerk position with a Senior Clerk and Receptionist responding to the Township Clerk.

Council discussed the high pay-scale of a Deputy Clerk, and the consensus did not support the idea.

DM. Gussen spoke about the applicants who were interviewed when the Township Clerk position was available and remarked about the large amount of staff people made available to Municipal Clerks in municipalities substantially smaller than Teaneck. He then commended Ms. Evelina and her staff for the quality of work and the amount of work that is produced by the Department, given the existing staff size and the existing table of organization.

Mayor Hameeduddin suggested Council establish a subcommittee to study the situation further. Mayor Hameeduddin, C. Parker and DM. Gussen will sit on this committee.

C. Toffler suggested that updated resolution and ordinance books would benefit the fulfilling of OPRA requests had they been updated by her predecessor.

C. Katz agreed with C. Toffler and felt that if documents were available on the website, OPRA requests would be more easily fulfilled.

Mr. Broughton disagreed and noted that the type of documentation requested by individuals is complex and often times, requires a manual search. He believed that the volume and complexity of requests was the reason for the backlog of requests.

#### TOWNSHIP MANAGER'S REPORT

C. Parker requested the Manager speak briefly about the upcoming substation.

Mr. Broughton noted that PSE&G is proposing to build a power substation on the northern border of Teaneck on Myer Court behind Sears in Bergenfield. He noted that PSE&G will be going before the Zoning Board in October with a proposal to obtain any variances needed. PSE&G is reporting that this substation would improve the availability of power to both Teaneck and Bergenfield residents alike.

C. Katz asked if the entrance to the sub-station was going to be in Teaneck.



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Mr. Broughton was not certain if the entrance would be on the Teaneck side.

C. Parker requested the Township make a formal request to receive a credit from PSE&G for the recent outage during Hurricane Irene.

DM. Gussen thanked R. Goodman for bringing in several signs posted by Tiger Schulman's Karate and inquired whether or not the Township can fine businesses who post signs illegally.

Mr. Turitz commented that it would be tough to determine who posted the sign.

Mr. Broughton will contact Tiger Schulmann's Karate and ask them to cease and desist from posting signs in the public right of way.

Council discussed the chicken sign coming down by Chickie's.

C. Katz inquired about the regulation of murals if they do not contain words.

Mr. Turitz responded to Mr. Katz's inquiry, however, he could not be understood in real time or on the record due to a technical difficulty with his microphone.

#### TOWNSHIP ATTORNEY'S REPORT

None.

#### ADJOURNMENT

Deputy Mayor Gussen moved to adjourn at 9:45 p.m.

Mayor Hameeduddin seconded.

#### Roll Call.

In Favor: C. Parker, DM. Gussen, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin.

Opposed: None.

Absent: C. Stern.