

MINUTES OF THE OPEN SESSION MEETING OF  
THE TEANECK TOWNSHIP COUNCIL  
HELD IN THE MUNICIPAL BUILDING COUNCIL CHAMBERS  
TUESDAY, DECEMBER 13, 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

291-11. 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 8:03 p.m. and asked all those present to rise for the Pledge of Allegiance.

Present: C. Parker (8:21 PM), C. Stern, DM. Gussen, C. Honis, C. Katz (8:05 PM), C. Toffler, Mayor Hameeduddin.

Absent: None.

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

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.

Mayor Hameeduddin referenced a recent conversation with Superintendent Barbara Pinsak regarding the status of the proposed virtual charter school. While the school board has yet to receive official communication from the State, this move would not require the School Board of Education to budget \$15 million in its 2012-2013 school board for the proposed virtual charter school.

PRESENTATIONS

1. Holy Name Medical Center – Certificate of Appreciation – Donation of Flu Shots to Employees.

Mayor Hameeduddin and Mr. Broughton presented Mr. Charles Garity and Ms. Jacqueline Kates with a certificate of appreciation for providing free flu shots to Township employees. Mayor Hameeduddin expressed his gratitude for Holy Name Medical Center's generous offer.

Ms. Kates spoke about Holy Name Medical Center's desire to be a good neighbor to the community and discussed other efforts that are discounted for the Township. Mr. Garity also thanked the Township for the opportunity to assist them in their needs.

2. Larry Bauer, Teaneck Chamber of Commerce President – Sign and Façade Program.

Mr. Broughton discussed the background of the Sign and Façade Program in coordination with the Building Department. Mr. Broughton asked Construction Official, Mr. Steve Gluck, to speak about the program.

Mr. Gluck gave an overview of the Sign and Façade Program; and discussed the benefit of the program and the timeline of events necessary to obtain a permit for the Façade Program.

Mr. Bauer thanked the Township Council and Manager for creating an expedited Program to help small business owners within the Township upgrade their signage and facades. Mr. Bauer mentioned additional supporters of this Program, including banks and other small businesses. He further discussed the benefits of the Sign and Façade Program; gave an overview of the five business districts within the Township; and spoke about the Teaneck Chamber of Commerce’s support of organizations such as TVAC, the Teaneck Helping Hands Food Pantry and other endeavors.

Mayor Hameeduddin thanked Mr. Bauer for his work with the Teaneck Chamber of Commerce.

C. Katz also thanked Mr. Bauer for his efforts with the Chamber of Commerce and commended him for this project.

C. Toffler displayed a promotional shopping bag decorated with sticker promotions to merchants on Cedar Lane and discussed the Program. She urged residents to get a hold of these bags and make good use of them.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

*Ms. Evelina to read the Ordinance by title only.*

ORDINANCE #4245 - AN ORDINANCE AMENDING SECTION 39-19, PROHIBITING PARKING BETWEEN 2:00 A.M. AND 7:00 A.M., AND SECTION 36-11.3, RESTRICTED RESIDENT DECAL PARKING, OF ARTICLE II, PARKING, OF CHAPTER 36, TRAFFIC, OF THE TOWNSHIP CODE RELATING TO PARKING ALONG WARD PLAZA.

Mayor Hameeduddin inquired whether any member of the Council had any comments respecting this ordinance prior to opening the public hearing.

None.

Mayor Hameeduddin declared that the public hearing on the above ordinance was open. Any members of the public who wished to be heard on said ordinance or to ask questions concerning said ordinance came forward and stated their names for the record. Comments and questions were limited to five minutes per person.

None.

There being no persons who wished to speak concerning said ordinance, the Mayor declared that the public hearing on the ordinance was now closed.

Deputy Mayor Gussen moved to pass Ordinance 4245 on second and final reading and adopt.

The Township Clerk is hereby authorized and directed to advertise same according to law.

Seconded by Councilmember Honis.

Mayor Hameeduddin inquired whether any member of the Council had any comments respecting this ordinance.

There being no comments, Mayor Hameeduddin called on Ms. Evelina for a roll-call vote.

Roll Call.

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

Opposed: None.

Absent: C. Parker

Mayor Hameeduddin declared that said ordinance was duly adopted.

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.

C. Toffler discussed a recent meeting held by State Senator Loretta Weinberg with the CEO of PSE&G and the incoming CEO of the BPU. She spoke about the meeting, its attendees and what all groups can do better in the event of an emergency. C. Toffler further discussed the County's Reverse 9-1-1 phone calling system and reminded residents to sign-up for the reverse 9-1-1 calling system. She requested the Council adopt a resolution requesting a moratorium on virtual charter schools.

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

Teaneck Resident (did not state name for the record) – wished the Township well, as she and her husband will be moving to Israel. She also wished the Township Council success in the coming years and expressed her desire to share with those abroad her opinion of the Township being the best place to live in the United States.

Jacqueline Kates, Teaneck – discussed the potential to restrict parking on Chadwick Road and the overview of the parking problem at Holy Name Medical Center, the Medical Center's contact with residents in the area to come to a favorable solution and hoped that the Township would consider Holy Name Medical Center's viewpoint on this issue.

Patrick William, Teaneck – thanked the Council and Manager for resolving the parking issues at Ward Plaza.

Charles Garity, Holy Name Medical Center – referenced prior discussions with Police Chief Robert Wilson and Mr. Broughton; and asked that before Council vote on any policy regarding implementing parking restrictions on Chadwick Road that further discussions take place in the hopes of arriving at a fair solution for all involved.

Art Vatsky, Teaneck – felt that the Municipal Building's front walkway was done well and appreciated the sound-blocking material placed on top of the chiller. He further discussed his opinion regarding the renovation of the Old Police Headquarters, flooding in the municipal building and the bus shelter improvement program on Cedar Lane.

Ron Costello, Teaneck – thanked the Council and Mr. Broughton for recent efforts to clean-up homes on Shepard Avenue. Mr. Costello cautioned members of Council up for re-election to state their positions on issues the residents want to hear about in the entire Township.

Norman Levin, Teaneck – applauded Council for their democratic process; referenced a prior letter in *The Suburbanite* regarding the Manager's recommendation to replace street signs and corrected his comments from said article. He expressed opposition to the purchase of the sign making machinery and shared his view to oppose the spending of \$3.5 million to renovate the Old Police Headquarters. He also discussed recent street repairs and asked the Township to be more circumspect in its expenditure of funds.

Mildred Tucker, Teaneck – addressed the recent storm issue with PSE&G and the BPU; asked the Township Council what could be done to remedy power outages; asked the Council to reply to her inquiry; referenced prior comments made by councilmembers regarding *Toffler v. Township Council* and a prior lawsuit filed by Mr. Broughton.

Alan Sohn, Teaneck – questioned the time that the public is afforded to submit comments regarding the 2012 municipal budget; discussed prior years' budget experiences; discussed the information afforded by the budget package; and requested the Council look at benchmarking township departments' expenses against other municipalities. He spoke about New York City's cost to replace their street signs and referenced a recent article in the New Jersey League of Municipalities' magazine.

Charles Powers, Teaneck – referenced the decision to deny the application of the virtual charter school and the proverbial bullet dodged by the Township. Mr. Powers referenced the 2011 budget review process and urged the Council to have a proposed budget to review before the first Council meeting in January 2012. He discussed public budget meetings and those in attendance at said meetings. He agreed with Mr. Sohn's prior comments and discussed the result of other residents' tax appeal outcomes and its effect on other residents.

Alex Rashin, Teaneck – referenced other residents' disapproval of spending \$3.5 million on Old Police Headquarters; suggested a minimalist approach to the Old Police Headquarters and the rehabilitation of the municipal building basement; alleged that the Kieliszek Park sign was still missing; and discussed the construction to the front of the Municipal building, the cupola, the Township leaf collection schedule and the maintenance of the Rodda Center.

Mickey Schalaen (sic), Teaneck – requested Golf Road be evaluated to remove parking-restricted parking signs on Golf Road between Teaneck Road and Club Road.

Lillian Lewis, Teaneck – spoke about Brooks Park and the enforcement of dogs being prohibited from the park; requested the Council create an ordinance that included a \$250 fine for residents with dogs in a Township park; and referenced two stories about members of her family coming in contact with dog feces and large dogs.

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

Mayor 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 responded that the Township Council incorporated similar language as the Board of Education did in their resolution opposing the virtual charter school's application, and it passed by a vote of 6-1 on the Township Council previously. The Mayor felt that the matter of the virtual school was now closed and that any further dealings with the virtual charter school would be dealt with by the legislature. He further noted that PSE&G will be hosted at an upcoming January Council meeting and further discussed ideas from today's meeting with PSE&G and the BPU about Teaneck DPW workers being trained by PSE&G to cut our own tree limbs. He noted that PSE&G is in the process of beta testing software that would communicate with residents directly to give a more accurate timeline of power restoration to residents. Mayor Hameeduddin also discussed the role that the new substation within the Township would play and thus allow the Township to rely less on the New Milford substation. Mayor Hameeduddin also asked Mr. Broughton if the sign in Kieliszek Park has been replaced.

Mr. Broughton replied that the sign has been reinstalled and is on the Northeast side of the westbound side of Route 4.

DM. Gussen spoke about the current fine schedule for dogs in Township parks and asked if this ordinance can be reviewed; and if other municipalities' ordinances can be reviewed in order for the Parks, Playgrounds and Recreation Advisory Board to review if the ordinance needed to be changed.

C. Parker inquired about the public input on the 2012 budget.

DM. Gussen requested that a period for public comments on the 2012 budget be placed on the January 10, 2012 meeting schedule.

C. Katz responded to Ms. Tucker's comments during Good and Welfare and felt that the *Toffler v. Township Council* lawsuit was frivolous. He referenced bill list item 164672 to pay Thomas Hanrahan, the Township's attorney in *Toffler v. Township Council* and requested C. Toffler give up her lawsuit.

C. Toffler discussed her previous offer to pay the Township's legal fees if the Council rescinded the resolution censuring her. She welcomed all to be in court for the hearing and expressed her view to allow residents to speak freely about the leadership and Council of the Township. C. Toffler felt that the series of events that occurred to bring the lawsuit could not occur to anyone else, and she referenced prior comments by Mr. Napolitano about feeling as if they were in a third-world country.

Mayor Hameeduddin publically expressed the offense he took to C. Toffler's statement with respect to third-world countries. He advised C. Toffler that the politically correct terminology would be "developing countries." Mayor Hameeduddin made reference to previous statements made by C. Toffler that could be deemed prejudicial and re-iterated his objection to her third-world country comment.

C. Toffler called Mayor Hameeduddin's attention to previous comments that he made that could also be deemed prejudicial.

Mayor Hameeduddin advised C. Toffler that her recollection of statements previously made by him were mischaracterized.

In response to an outburst made by Mr. Charles Powers, the Mayor request that he remain silent. Mayor Hameeduddin also advised the public that the resident who made the outburst was C. Toffler's husband.

C. Toffler added that she understood from Mr. Katz's statements that the decision to censure her was to prevent a lawsuit. She alleged that Mr. Broughton was the party responsible for the attack on her in writing. She alleged that Mr. Broughton would sue, as she feels that he has a history of doing so.

In response to C. Toffler's statements, Mr. Broughton advised that C. Toffler filed a lawsuit after she was censured by the Township Council for being quoted in the officially designated county newspaper, *The Record*, that the Township Manager and Police Chief allegedly retaliated against her. Mr. Broughton stated that as a result of C. Toffler's defamatory statements against him and the Police Chief, he felt an obligation to defend his and the Police Chief's rights and professional reputations, never retaliated against C. Toffler.

DM. Gussen asked for us to look into the Golf Court ordinance to review its history.

Mr. Broughton requested that someone from Golf Court request the removal of parking restrictions.

DM. Gussen discussed the commuter parking problems that arise from multiple requests to restrict commuter parking in front residents' homes. He requested that residents from Golf Court reach out to the Manager to determine what the most feasible parking plan. DM. Gussen referenced Mr. Sohn's prior comments regarding benchmarking for Township departments. He discussed the creation of the Financial Advisory Board and its role to identify what other municipalities spent compared to our departments and noted that this was a difficult task. DM. Gussen discussed the comparative spending guide for public school districts, and stated NJ League of Municipalities does not have a similar comparative spending guide. He also felt that there was no magic wand to undertake services. He encouraged residents to attend budget hearings with questions about the 2012 budget. DM. Gussen also spoke about the improvements to the budgeting process since he and his colleagues have been on Council.

C. Katz sought clarification about check number 164672 on the bill list; discussed the sign making machine and its features; and referenced prior comments by C. Toffler regarding the payment of her lawsuit.

C. Toffler discussed the censure's affect on her ability to earn a living.

C. Katz requested confirmation from C. Toffler with respect to her offer to pay for her legal fees along with the Township's legal fees in connection with *Toffler v. Township Council*.

C. Toffler responded that her previous offer was made only under the condition that the Township Council rescind the censuring resolution. As said resolution was not rescinded, her offer was not withdrawn.

Mr. Broughton clarified the misinformation about the sign-making machine. He discussed the cost to replace street signs in the Northeast section of the Township, the cost of the sign making machine, metal bending machine, the capitalization and life of the sign-making equipment, the staff on hand to create signs and the possibility of recovering old street signs. Mr. Broughton added that the Township has always had a sign shop, and this equipment would now upgrade the sign shop to a more modern facility. He acknowledged the façade of the Rodda Center and received proposals to clean and re-paint the façade. He also discussed the on-going work with bus shelters replacements.

C. Katz inquired about the prospect of advertising on bus shelters.

Council responded that they did not approve the concept of advertising on bus shelters.

Mayor Hameeduddin noted that the Council would take Holy Name Medical Center's suggestions regarding parking on Chadwick Road under advisement.

#### 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.

None.

#### MINUTES

November 29, 2011 – Closed Session Meeting (C. Katz, Absent) – Approved for Content Only.

#### RESOLUTIONS (Resolution A – vote taken prior to Closed Session)

- 292-11. Ratify & Confirm Appointment of Ferrara, Turitz, Harraka & Goldberg, PC as Township Attorneys & Authorize Professional Services Contract Therefore
- 293-11. Designate Official Newspapers – 2012.
- 294-11. Authorize Municipal Consent – Aura Express Enterprises, LLC – 2012.
- 295-11. Authorize Amount as Lien on Tax Records of Properties – Tax Collector – Various.
- 296-11. Authorize Amount as Lien on Tax Records of Properties – Tax Collector – Various.
- 297-11. Authorize Amount as Lien on Tax Records of Properties – Tax Collector – Various.
- 298-11. Authorize Amount as Lien on Tax Records of Properties – Tax Collector – Various.
- 299-11. Authorize Budget Account Transfers – Chief Financial Officer – 2011.

- 300-11. Award Contract – Sita Construction Company, Inc. – Court Game Renovations – Phelps and Votee Parks.
- 301-11. Refund 2009 and 2010 Taxes Pursuant to State Tax Court Decision – Chief Financial Officer – Various.
- 302-11. Refund 2002, 2003 and 2004 Taxes Pursuant to State Tax Court Decision – Chief Financial Officer – Advanced Housing.
- 303-11. Authorize Submission and Execution of Grant Application – NJDOT – Safe Routes to School Pedestrian Countdown Signals Project.
- 304-11. Authorize Submission and Execution of Grant Application – NJDOT – Safe Routes to School Sidewalk Improvements Project.
- 305-11. Award Contract – DeSesa Engineering – Teaneck Public Library Cooling System.
- 306-11. Refund 2011 Tax Overpayments – Chief Financial Officer – Various.
- 307-11. Ratify Payments – Chief Financial Officer – November, 2011.
- 308-11. Authorize Issuance of Payment – Vendors Reflected on Resolution – October 30, 2011 Snow Storm.

**BILL LIST**

Ms. Evelina read the amount of the Bill List into the record. \$8,870,587.25

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.

Seconded by Councilmember Honis.

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

Roll Call.

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

Opposed: None.

Absent: C. Katz (at time of vote).

Mayor Hameeduddin declared whether said items passed.

**INTRODUCTION OF ORDINANCES**

DM. Gussen moved that the Ordinances be introduced and passed on first reading and that the Clerk is hereby authorized and directed to publish the required legal notice of the introduction thereof, together with a notice of the place, time, and date on which a public hearing will be held on said ordinances, and on which said ordinances will be considered for final adoption.

ORDINANCE #4246 - AN ORDINANCE AMENDING APPENDIX III, "FEES AND CHARGES FOR TOWNSHIP SERVICES," OF CHAPTER 2 OF THE TOWNSHIP CODE ENTITLED "CHARTER/ADMINISTRATIVE CODE" RELATING TO FEES FOR CERTIFIED LIST OF PROPERTY OWNERS FOR APPLICATIONS BEFORE THE PLANNING BOARD AND BOARD OF ADJUSTMENT

ORDINANCE #4247 - AN ORDINANCE AMENDING SECTION 36-28 OF DIVISION 3, OF ARTICLE II OF CHAPTER 36 OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO TIME LIMITED PARKING ALONG A PORTION OF BRINKERHOFF AVENUE

ORDINANCE #4248 - AN ORDINANCE AMENDING CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE

*Ms. Evelina to read the Ordinances by title only.*

Seconded by Councilmember Honis.

Mayor Hameeduddin inquired as to whether any Councilmember wished to comment upon the motion to introduce.

There being no comments, Mayor Hameeduddin called on Ms. Evelina for a roll-call vote.

Roll Call.

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

Opposed: None.

Absent: C. Katz (at time of vote).

Mayor Hameeduddin declared that said ordinances were duly introduced and passed on first reading.

#### OLD BUSINESS

None.

#### MISCELLANEOUS

None.

#### NEW BUSINESS

None.

#### COMMUNICATIONS

None.

#### COMMITTEE REPORTS - COUNCIL LIAISONS

None.

#### COUNCIL-LISTED ITEMS

None.

#### TOWNSHIP MANAGER'S REPORT

None.

#### TOWNSHIP ATTORNEY'S REPORT

Mr. Broughton encouraged every resident to visit the Bergen County Office of Emergency Management website to register for the Reverse 9-1-1 calling option, even with a cellular phone. He added that he is trying to have PSE&G give a presentation at the January 10, 2012 Council Meeting. He discussed the repair of the Kieliszek Park sign. He advised that the Committee is still working on the emergency preparedness meeting. Mr. Broughton discussed the *Teaneck Times* recycling calendar and reported that Chief Wilson will give his recommendations about the Civilian Complaint Review Board shortly. He also spoke about the on-going work with C. Parker for the trip to the White House. Mr. Broughton reported that work continues on the new website with the vendor, Delaware.net, and a final design architecture is completed at this time. He added that the Website Committee anticipates the completion of the website by the end of January.

Mayor Hameeduddin reminded Mr. Broughton that the Emergency Response Committee will be meeting with him on Tuesday at 8:00 AM.



C. Katz inquired about the residents on the emergency response.

Council discussed that this information will be discussed at the upcoming meeting.

Mayor Hameeduddin wished all a happy holiday season.

ADJOURNMENT

DM. Gussen moved to adjourn at 9:21 p.m.

Seconded by Mayor Hameeduddin.

Roll Call.

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

Opposed: None.

Absent: None.