

MINUTES OF THE OPEN SESSION MEETING OF  
THE TEANECK TOWNSHIP COUNCIL  
HELD IN THE MUNICIPAL BUILDING CHAMBERS ON  
TUESDAY, FEBRUARY 5, 2013

ROLL CALL

Present: C. Parker (arrived at 7:09 p.m.), C. Stern, DM. Gussen, C. Pruitt, C. Katz (arrived at 7:23 p.m.), C. Schwartz (arrived at 7:09 p.m.), Mayor Hameeduddin.  
Absent: None.  
Also Present: W. Broughton, Township Manager; J.L. Evelina, RMC, Township Clerk;  
W. Rupp, Esq. – Ferrara, Turitz, Harraka & Goldberg, P.C.

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution 283-12, setting the 2013 meeting dates, sending a copy to THE RECORD and THE JEWISH STANDARD, 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.

MOTION TO GO INTO CLOSED SESSION

The Clerk read Resolution #34-2013, authorizing the Council to enter into Closed Session into the record.

Having adopted Resolution #34-2013, DM. Gussen made a motion to close the meeting to the public to conduct interviews of advisory board applicants; and discuss legal issues, negotiation updates, PSE&G Teaneck Substation and a legal opinion regarding OPRA. Seconded by C. Stern and carried by the following vote:

In Favor: C. Stern, DM. Gussen, C. Pruitt, Mayor Hameeduddin.  
Opposed: None.  
Absent: C. Parker (at time of vote), C. Katz (at time of vote) and C. Schwartz (at time of vote).

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

PLEDGE OF ALLEIGANCE

Mayor Hameeduddin called the Open Session Meeting of the Teaneck Township Council to order at 8:01 p.m. and asked all present to please rise for the Pledge of Allegiance.

Present: C. Parker, C. Stern, DM. Gussen, C. Pruitt, C. Katz, C. Schwartz, Mayor Hameeduddin.  
Absent: None.  
Also Present: W. Broughton, Township Manager; J.L. Evelina, RMC, Township Clerk; I. Abbasi, Executive Assistant to the Manager; J. Jackson, Senior Clerk;  
W. Rupp, Esq. – Ferrara, Turitz, Harraka & Goldberg, P.C.

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution 283-12, setting the 2013 meeting dates, sending a copy to THE RECORD and THE JEWISH STANDARD, 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.

The Mayor reported on the items discussed during Closed Session. He also reported on the following: the next televised council meeting would take place on Tuesday, February 19, 2013, with legal opening to begin at 7:00 p.m. and public input to begin at 8:00 p.m.; the first general emergency preparedness meeting is scheduled for Thursday, February 7<sup>th</sup> at the Police Headquarters from 7 p.m. - 10 p.m.; The Environmental Commission will hold a public meeting on the Environmental Resource Inventory (ERI) on February 20<sup>th</sup> at 7:30 p.m. at the Rodda Center, Multipurpose Room 1. All members of the public are invited to attend; the Municipal Building will be open on Tuesday, February 12<sup>th</sup>; however, in observance of Lincoln's birthday,

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the Rodda Center, the Police Records Bureau and the DPW will be closed and the municipal building will be closed on Monday, February 20<sup>th</sup> in observance of President's Day.

PRESENTATIONS

None.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

The Township Clerk read the titles of the following Ordinances into the record:

ORDINANCE NO. 4283 - AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 33-21.1(i) OF CHAPTER 33 OF THE TOWNSHIP CODE ENTITLED DEVELOPMENT REGULATIONS TO ADD THE BIG RED OAK TREE LOCATED ON A PORTION OF LOT 25 IN BLOCK 2609 TO THE LIST OF DESIGNATED HISTORIC SITES

ORDINANCE NO. 1-2013 - AN ORDINANCE AMENDING SECTION 36-11.2 OF CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE ESTABLISHING RESTRICTED ON-STREET PARKING SPACES FOR HANDICAPPED ALONG A PORTION OF LOCUST STREET

ORDINANCE NO. 2-2013 - AN ORDINANCE AMENDING CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE

The Mayor declared that the public hearings on the above ordinances were now open. Any members of the public who wished to be heard on any of said ordinances or to ask questions concerning said ordinances may come forward and state their name for the record. Comments or questions shall be limited to five minutes per person.

No member of the public commented.

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

C. Katz requested a status from the Manager with respect to the correspondence which was supposed to be sent to those residents who currently have handicapped spots to confirm that same is still needed, as this was discussed at the meeting of January 22, 2013. Manager Broughton informed that residents were contacted last January, and all spots are still needed. Residents will be contacted again in January of 2014.

There being no further persons wishing to speak concerning said ordinances, Mayor Hameeduddin declared that the public hearing on these ordinances was now closed.

Councilmember Parker moved to pass Ordinances on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by DM. Gussen.

Mayor Hameeduddin inquired whether any member of the Council had any comments respecting these ordinances.

No member of Council commented.

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

Roll Call.

In Favor: C. Parker, C. Stern, DM. Gussen, C. Pruitt, C. Katz, C. Schwartz, Mayor Hameeduddin.

Opposed: None.

Absent: None.

Mayor to declare that said ordinances were duly adopted.

Approved: 3/19/13

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

Mayor to inquire whether any member of the Council has any comments prior to opening the meeting to any comments from the public.

C. Katz informed that there are four houses surrounding Votee Park, and two of the houses are up for sale. He then questioned if Council was interested in purchasing the houses to enhance the park.

Council directed the Manager to gather information with respect to the cost of the houses.

Mayor to declare that any members of the public wishing to be heard at this time shall come forward and state their names for the record. Comments shall be limited to five minutes per person.

Howard Rose – expressed disappointment with the members of the public who deliver detrimental statements in an assaulting manner to the Council and officials during meetings and urged the public to be respectful. He requested flexibility in terms of the Council's responses and suggested maintenance for buildings versus renovation.

Norma Goetz – spoke about the Planning Incentive Grant which will provide the Township with half of the costs associated with open space in response to C. Katz's suggestion for the purchase of two homes to expand Votee Park.

Michael Rogevin, Chair of Environmental Commission – spoke about his appointment to the Commission, smart growth and future plans of the Commission and sustainability; and informed Council about the upcoming meeting regarding the ERI.

The following members spoke in support to the resolution against gun violence:

Mr. Norman

Jim Griffin

Ron Schwartz

Daniel Rosenblum

Sandra Loft (Also, raised issues with the results of her recent OPRA Request; and requested the amount of registered guns in the Township).

James Kinloch – rescinded his former resignation as Alternate #1 Member to the Planning Board; spoke about his credentials; expressed opposition to Council not appointing him as a full voting member to the Planning Board; and requested a position to the Planning Board as a Regular Member.

The following members of the public spoke in support of James Kinloch:

Gwen Acree, President of the North East Teaneck Block Association

Art Vatsky (Also raised his issues with the four-day work week)

Gloria Wilson, Vice President of the North East Teaneck Block Association

Patricia White, North East Teaneck Block Association

Lou Schwartz, North East Teaneck Block Association

Sandra Silverberg, Bergen Grassroots Steering Committee

Lillian Lewis

Mildred Tucker (Also raised her issues with Mr. Rose's comments)

Jason Castle

Kimberly Jones, Alternate #1 Member of the Planning Board (Also raised her issues with the way in which appointments were made in her experience)

Charles Powers (Also raised his issues with the budget process and the inflation of sewer taxes).

Alex Rashin – raised his issues with Township projects; the costs associated with same and using clichés.

Howard Alt – raised his issue with the three-hour parking; and requested decals. The Township Clerk collected Mr. Alt's information and distributed same to the Council, Manager and Attorney.

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Alan Sohn – raised his issues with the four-day work week.

Josh Levy – spoke in opposition of the resolution regarding guns.

Council extended Good and Welfare until such time as all interested parties had an opportunity to speak.

Naomi Cramer – spoke in support of the resolution against gun violence and in support of James Kinloch; raised her issues with the costs associated with soccer fields; and suggested that Council bring back Workshop Meetings to reduce the amount of OPRA Requests.

Barbara Toffler – raised her issues with not being reappointed on the Planning Board in the past; spoke about previous statements of Councilmembers and the Tea Party.

Don Wassum – raised his issues with the process of registering guns and the ticket process. He provided his contact information to the Township Clerk, and the Township Clerk distributed same to the Council, Manager and Attorney.

There being no further persons wishing to speak at this time (or the time limit of one hour having expired), the Mayor to declare that the public comment portion of the meeting is now closed.

The 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 reminded the public that negotiations are pending to bring back the five-day work week. He made the distinction between Mayor's Against Illegal Guns and national support against gun violence and clarified for the public his position against gun violence. With respect to the Planning Board, he explained that there have been "hot button" issues for years regarding development. With respect to appointments, he explained the difficulty with building consensus.

C. Parker raised her issues with alternate members being skipped and suggested that Council reassess its process.

Mr. Rupp advised that the speaker from this evening misinterpreted the Code. He spoke about Municipal Land Use Law and the Code parroting the statute. He advised that all positions, not just alternate positions are subject to Council's approval. He further advised that the Township Council does not have the authority to change the language to include automatic promotions. In response to C. Parker's regarding practice, he advised that the Council's practice is something that governs Council's decision making. Also, in response to C. Parker's request, Mr. Rupp will provide a legal opinion.

Council discussed current practice, past practices, the importance of alternates being qualified to becoming voting members of the statutory boards, extending fairness to all volunteers and issue not being a racial issue but a process issue.

C. Pruitt commended those responsible for the proposed legislature provided against gun violence and expressed his belief that the majority of Teaneck would be in favor of adopting same.

D.M. Gussen explained that the bond ordinance is the appropriation action that must occur prior to bidding. He also informed that the 4.2 million dollars includes a wish list of projects that were added to the original project; however, he does not support moving forward with all the projects. He explained that the project will be bid, awarded and completed without incurring debt.

C. Katz expressed disappointment regarding Mr. Sohn's derogatory comments towards the Manager. He spoke about valuing all board members and explained that the Council must take certain matters into consideration when making appointments, ie. attendance, as part of the process.

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C. Parker questioned if Mr. Kinloch could legally rescind his appointment, and in response, Mr. Rupp advised that at the time of the resignation, the vacancy occurs. As such, the resigned cannot rescind a resignation letter; however, the resigned can be appointed.

Council directed the Manager to (1) find a solution for the resident complaining about three-hour parking on Chadwick Road; and (2) to look into the purchase of two homes on Queen Anne Road near Votee Park with funding from the Planning Incentive Grant.

#### 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, 2012 – Closed/Special Session Meeting (C. Stern, Absent) – Approved for Content Only.

December 4, 2012 – Special Session Meeting.

December 18, 2012 – Special Closed Session Meeting (DM. Gussen, Absent) – Approved for Content Only.

December 18, 2012 – Closed Session Meeting – Approved for Content Only.

December 18, 2012 – Open Session Meeting.

#### RESOLUTIONS

- B/35-2013 Authorize Termination of Performance Guarantee – Sephardic Congregation of Teaneck.
- C/36-2013 Award Contract – Fischer Brothers, Inc. – Fencing Replacement at Andreas & Sagamore Parks.
- D/37-2013 Authorize Disabled Veteran’s Tax Exemption – Block 4810, Lot 5 – 2011 & 2012.
- E/38-2013 Designate Official Depositories Pursuant to Cash Management Program.
- F/39-2013 Authorize Issuance of Purchase Order to East Coast Emergency Lighting, Inc. – Police Utility Vehicles.
- G/40-2013 Authorize Issuance of Purchase Order to Conti Roofing Company – Teaneck FH4 – Hurricane Sandy.
- H/41-2013 Authorize Submission of Municipal Alliance Grant Letter of Agreement – 2013.
- J/42-2013 Award Professional Services Contract – Omdex, Inc. – New Generators.
- K/43-2013 Endorse Legislation to Promote Public Safety by Reducing Gun Violence.
- L/44-2013 Amend 2013 Annual Meeting Schedule – Add 2/12/13 & 2/26/13 (If Necessary) Special Meetings.
- M/45-2013 Approve Statement of Reasons for Historic Designation of Big Red Oak Tree – 339 Cedar Lane (In Connection with Ordinance 4283).
- N/46-2013 Adopt 2013 Temporary Capital Budget.

#### BILL LIST

Ms. Evelina to read the amount of the Bill List into the record \$7,067,106.43.

Councilmember Katz moved to approve the Consent Agenda, including Raffles, Minutes, Resolutions and the Bill List and to dispense with the reading of same inasmuch as it has been posted on the bulletin board all day, **except Resolution I**. Seconded by Councilmember Parker.

C. Parker expressed appreciation for the Bill List guide and requested that same be made available to the public.

C. Pruitt suggested that Council adopt Resolution K unanimously.

C. Stern read his Statement into the record which is annexed hereto.

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The Mayor called on the Township Clerk for a roll-call vote.

Roll Call.

In Favor: C. Parker, C. Stern, C. Pruitt, C. Katz, Mayor Hameeduddin.  
Opposed: None.  
Absent: D.M. Gussen (at time of vote), C. Schwartz (at time of vote).  
Abstained: C. Katz (Bill List).

Councilmember Katz moved to **approve Resolution I/47-2013.**

I. Authorize Issuance of Purchase Order to Day Chevrolet – Fire Department Vehicle.

C. Katz questioned the details of the resolution, and Manager Broughton informed that the vehicle will be used by the Battalion Chief and is replacing another vehicle. The vehicle is included in the capital budget.

Seconded by Councilmember Stern.

The Mayor called on the Township Clerk for a roll-call vote.

In Favor: C. Parker, C. Stern, Mayor Hameeduddin.  
Opposed: C. Katz.  
Absent: D.M. Gussen (at time of vote), C. Pruitt (at time of vote), C. Schwartz (at time of vote).

Mayor declared said item was passed.

#### INTRODUCTION OF ORDINANCES

Councilmember Katz 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.

The Township Clerk read the Ordinance by title only.

ORDINANCE NO. 3-2013 - BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE VOTEE PARK TURF FIELD PROJECT IN, BY AND FOR THE TOWNSHIP OF TEANECK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,200,000 TO PAY THE COST THEREOF, TO APPROPRIATE MUNICIPAL OPEN SPACE TRUST FUND MONEYS AND STATE AND COUNTY GRANTS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Seconded by Councilmember C. Stern.

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

No member of Council commented.

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

Roll Call.

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In Favor: C. Parker, C. Stern, C. Katz, Mayor Hameeduddin.  
Opposed: None.  
Absent: D.M. Gussen (at time of vote), C. Pruitt (at time of vote), C. Schwartz (at time of vote).

The Mayor declared that said ordinance was duly introduced and passed on first reading.

#### OLD BUSINESS

None.

#### MISCELLANEOUS

None.

#### NEW BUSINESS

1. Nominations (if any) for Vacant Positions.  
None.

#### COMMUNICATIONS

None.

#### COMMITTEE REPORTS - COUNCIL LIAISONS

##### COUNCIL-LISTED ITEMS

1. “*Alternate Statutory Board Members - Status*” – C. Pruitt.  
C. Pruitt would like the practice to include automatic promotions.
2. “*Portable Generator Hook-Ups*” – C. Schwartz.  
C. Schwartz was not present at the time, and the matter will be re-listed.
3. “*Shop Teaneck Tax Credit*” – C. Schwartz.  
C. Schwartz was not present at the time, and the matter will be re-listed.
4. “*Community Work Experience*” – C. Parker.  
C. Parker requested that the Township participate with Bergen One Stop. She will provide the information to the Manager, and Council was in favor.

##### TOWNSHIP MANAGER'S REPORT

1. PSE&G – Vegetation Management.  
Manager Broughton advised that there is no planting program at this time.
2. Emergency Response/Public Safety Subcommittee.  
The documentation from the meeting will be distributed to Council after the meeting. The Subcommittee discussed improving communication during emergencies, the alert sign-ups, placing information for those sign-ups at transaction points, included monies in the budget for light towers and sign boards, daily conference calls, Clergy Council acting as points of contact, warming centers, text alerts, emergency preparedness literature for residents, utilizing FDU Radio Station to alert resident, Adopt-A-Senior Program, Fire Department Wake Up Program, resident volunteers, creating an ordinance requiring certain centers to have generators, setting up a meeting with PSE&G to neutralize wires in a timely fashion, etc.

C. Katz requested that the Manager ascertain which members of which houses of worship are included on the Clergy Council, and Manager Broughton informed that he is currently working on this.

C. Katz requested a copy of the Press Release regarding the Fire Department Wake-Up Program, and the Manager will provide.

Manager Broughton reported that he received monies from FEMA as reimbursement from the October, 2012 storm.

Manager Broughton informed that a dedicated phone line will be set up with separate number for residents.

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3. Private Handicap Parking Spaces.

This matter was previously discussed during the meeting.

4. Reappointment of Bond Counsel & Auditor.

This matter was not discussed.

5. Update – Council-Directed Items.

Manager Broughton reported the following:

- a. Pot holes at Belle and Route 4 – these are not pot holes; however, there is an issue with the road, and the DPW with the NJDEP to correct the matter;
- b. Item on Website – confirmed that a previously proposed resolution which would have provided the Manager with executed certain documents was not adopted and is only on the website as proposed;
- c. Minutes on Website – the October 26, 2010 minutes have been included on the website;
- d. Tree Ordinance – Mr. Turitz is currently working on this ordinance;
- e. List of Undesirable Trees – DPW is working on this list;
- f. Redevelopment Committee – he will be scheduling another meeting;
- g. Car Rental Tax – Mr. Turitz is working on this matter;
- h. RFP for Engineering Services – working towards February 19, 2013;
- i. SBA Towers – provided vendor with information and should hear back from vendor;
- j. Dog Park – fence is up and a gravel bed has been installed;
- k. 1475 Palisade Avenue – correspondence was sent to owner to regarding the sidewalk; and
- l. HNH Medical Center Bill Board – had a meeting with officials on December 12, 2012 and is awaiting a response.

C. Katz reported that the Sign Subcommittee requested additional locations from the Construction Code Official.

TOWNSHIP ATTORNEY’S REPORT

None.

ADJOURNMENT

Mayor Hameeduddin moved to adjourn at 10:37 p.m. Seconded by Councilmember Katz and carried by the following vote:

Roll Call

In Favor: C. Parker, C. Stern, D.M. Gussen, C. Pruitt, C. Katz, Mayor Hameeduddin.  
Opposed: None.  
Absent: None.

I hereby certify that the above minutes were approved by the Township Council on March 19, 2013.

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JAIME L. EVELINA, RMC  
Township Clerk