

MINUTES OF THE OPEN SESSION MEETING OF
THE TEANECK TOWNSHIP COUNCIL
HELD IN THE MUNICIPAL BUILDING CHAMBERS ON
TUESDAY, FEBRUARY 19, 2013

ROLL CALL

Present: C. Parker, C. Stern, D.M. Gussen, C. Pruitt, C. Katz, C. Schwartz, Mayor Hameeduddin.

Absent: None.

Also Present: W. Broughton, Township Manager; J.L. Evelina, RMC, Township Clerk; S. Turitz, 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 Township Clerk read the resolution authorizing the Council to enter into the Closed Session Meeting.

Having adopted Resolution #49-2013, C. Pruitt made a motion to close the meeting to the public to discuss matters concerning interviews, labor negotiations and legal matters. Seconded by D.M. Gussen and carried by the following vote:

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

Opposed: None.

Absent: C. Parker (at time of vote), C. Katz (at time of vote), C. Schwartz (at time of vote).

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

The Mayor called the Open Session Meeting of the Teaneck Township Council to order at 8:00 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; C. Loschiavo, Senior Clerk; S. Turitz, 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 provided information with respect to the upcoming scheduled Council Meeting and Environmental Commission Meeting. He reported that Council met in Closed Session to discuss matters concerning interviews, labor negotiations and legal matters.

Mr. Turitz advised that Resolution I needs to be pulled and handled along with the public hearing and adoption of ordinances. Resolution I must be voted on prior to the adoption of the ordinance.

C. Katz made a motion to pull Resolution I, to be heard with the hearing and adoption of ordinances and to be voted prior to the adoption of the ordinances. Seconded by D.M. Gussen and carried by the following vote:

Approved: 3/19/13

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

Mr. Turitz also advised that Resolution J regarding the Developer's Agreement with PSE&G has been amended to allow PSE&G use of the Rodda Center to temporary place a crane to work on the project. The specific section amended is 1D.

PRESENTATIONS

None.

PUBLIC HEARING OF RESOLUTION I AND ORDINANCES

The Township Clerk read the title of the following Resolution into the record:

I. Appropriate Funds from MOST Fund – Votee Turf Field Project.

The Township Clerk read the title of the following Ordinance into the record:

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.

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

No member of Council commented.

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

The following members of the public raised issues with the expenditures and use of open space funds associated with the project:

Howard Rose
Alex Rashin
Naomi Cramer
Barbara Toffler
Charles Powers
Dee Ann Ipp
Alan Sohn

Ken Hoffman – clarified how the project came to fruition for the public and referred to the process as transparent and open. He urged the public to work together with the Council in the best interests of the community.

Jim Dunleavy – urged the Council to weigh out the public good and value.

Tom Abbott – questioned where the monies are coming from for the project.

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

C. Pruitt suggested that a soccer field could be built at a reasonable price and using open space funds last.

D.M. Gussen answered in the affirmative. He informed that the 2.4 million-dollar figure originates from 2007. He explained that from 2007 to current, additional issues have been identified. He spoke about remediation, lighting and unnecessary additives. He spoke about the

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misunderstanding of the people with respect to the process of bonding and the way in which monies are spent. He advised that the bond ordinance must come prior to the bidding process pursuant to state law. He explained that the Township has no obligation to spend. He referenced the referendums of 2004, 2008 and 2012 in connection with open space funds, approved by the voters. He referenced his prior positions on not using open space funding for mundane projects. He spoke about the history of Teaneck fields and defined this project as a measure to provide satisfactory conditions to Teaneck's youth.

Manager Broughton clarified that by adoption of this ordinance, the Council is preparing to fund the project; however, bonding is not being done this evening.

C. Parker made a motion to approve Resolution I/50-2013. Seconded by C. Stern and carried by the following vote:

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

Opposed: None.

Absent: None.

Councilmember D.M. Gussen moved to pass Ordinance #3-2013 on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by Mayor Hameeduddin.

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

No member of Council commented.

There being no further comments, the Mayor called on the Township Clerk for a roll-call vote.

Roll Call

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

Opposed: None.

Absent: None.

The Mayor declared that said ordinance was duly adopted.

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

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

No member of Council commented.

The Mayor declared 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.

Selma Zisk – raised her issues with the parking issue at the Rodda Center, the response of Recreation administration and the resignation of an employee at the Center.

Lorraine Kaplan – provided a petition to the Township in support of a Recreation Department employee who recently resigned.

Lithia Johnson – spoke in support of a Recreation Department employee who recently resigned.

Natalie Addison – spoke in support of a Recreation Department employee who recently resigned.

Patricia White – expressed condolences to Gwen Acree regarding the loss of her sister; spoke on behalf of the North East Teaneck Block Association and requested a status with respect to Council's position on Mr. Kinloch's rescinded resignation on the Planning Board; provided

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details with respect to upcoming events on behalf of the Community Relations Board; and commended the DPW with respect to a job well done with snow removal.

David Sidrensky – spoke in opposition of the resolution recently passed by Council against gun violence and presented his arguments defending the right to bear arms.

Anna (Member of the Senior Center) – expressed members of the senior center should have a voice.

Micky Shilan – expressed appreciation for the senior-friendly programs of the Fire Department; expressed concern regarding the recent resignation of a Recreation Department employee; and requested a status with respect to the generators on behalf of the Senior Citizen Advisory Board.

Josh Levy – commended DPW with respect to snow removal measures; and spoke in opposition of the resolution recently passed by Council against gun violence and presented his arguments defending the right to bear arms.

Barbara Toffler – spoke in opposition to the statements made by those present who defended the right to bear arms; suggested that Council assure the residents that they are heard; and congratulated the Mayor with respect to his actions at a recent Planning Board Meeting.

Jason Castle – commended the Council for adopting a resolution against gun violence; assured the Council that if a member of Teaneck 20-20 should speak before the Council, statements made should not be taken as the position of the organization; expressed gratitude to the Manager for reporting on measurements taken for emergency preparedness.

Alex Rashin – raised his issues with debt, the four-day work week and the resolution adopted against gun violence.

Naomi Cramer – spoke in support of the employee who recently resigned from the Recreation Department; and raised issues with the attendance taker at the Rodda Center, parking at the Rodda Center while PSE&G temporarily has a crane placed on the property in connection with the Developer's Agreement, the majority of open space monies used for Votee Park and those statements made by members of the public who opposed the resolution against gun violence.

Margaret Temple, Family Teen Center – presented correspondence from her attorney; acknowledged Council's request for her to find an alternate location but emphasized that she is not seeking funding from the Council but only an endorsement of the Center's grant applications. She provided a list of services offered by the Center.

Tom Abbott – raised his issues with the location of numbers within debt statements, the Manager's response with respect to the location of FEMA's reimbursement in the budget and minutes not included on the website.

Charles Powers – spoke about the Votee Park project and urged the Council to consult with experts within the community with respect to the RFP.

Alan Sohn – raised his issues with transparency, expenditures and the four-day work week.

There being no further persons wishing to speak at this time (or the time limit of one hour having expired), the Mayor declared that the public comment portion of the meeting was 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 advised that personnel cannot be discussed in public; requested that the Manager look into additional parking at the Richard Rodda Community Center for the seniors; advised the public that resignations are not received by Council; assured the public that the Township will meet with the Senior Citizen Advisory Board to find solutions to issues raised; responded to comments made regarding his actions taken at a recent Planning Board Meeting; spoke about James Kinloch's resignation from the Planning Board and informed that Council

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will be interviewing applicants to fill the vacancy; spoke about Alfred Avenue being an area for potential development in response to the Family Teen Center's, a not-for-profit organization current location.

C. Katz supported the concept of the Family Teen Center but raised his issues with the current location of the Center, as their current location is in need of development and an industrial area.

Mayor Hameeduddin clarified that the Township is working towards warming centers and not shelters.

C. Stern commended the Teaneck Police Department and Manager Broughton in response to the local press reporting that the Department correctly responded to questions from a study that focused on officers receiving anonymous complaints about other officers.

Mayor Hameeduddin requested that the minutes be posted on the website.

C. Parker requested that "Town Hall Meeting of the Seniors" be listed for discussion at the next Council Meeting; and requested that the Manager review figures referred to by Mr. Abbott to confirm that the Manager's calculations are correct.

Manager Broughton responded that he has reviewed the numbers, he has reviewed the numbers with the Chief Financial Officer, and both he and the Chief Financial Officer believe the numbers to be correct. He explained that the reimbursement of funds from the 2011 storm was received this year and went on to explain how these funds are applied within the budget.

C. Parker responded to Mr. Levy and raised her issues with the examples he provided to make his point.

D.M. Gussen reported on Teaneck Boys' Basketball recent success.

C. Pruitt expressed concern with respect to residents who feel the need to own assault weapons for self-defense.

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.

1. RA #1349 - Holy Name Medical Center School of Nursing Alumni Association – Off-Premises 50/50 Draw Raffle - \$20.00.
2. RA #1350 – TVAC – On-Premise Merchandise Draw Raffle - \$20.00.

MINUTES

January 10, 2013 – Budget Meeting (Absent: C. Parker, C. Stern, C. Katz).

January 17, 2013 – Budget Meeting (Absent: C. Pruitt).

January 24, 2013 – Budget Meeting (Absent: C. Katz, C. Schwartz, Mayor Hameeduddin).

January 31, 2013 – Budget Meeting (Absent: C. Katz).

RESOLUTIONS

B/51-2013 Designate Township of Teaneck's Public Agency Compliance Officer – 2013.

C/52-2013 Ratify Payments – January, 2013.

D/53-2013 Refund 2011 and 2012 Taxes Pursuant to State Tax Court Decisions – Various.

E/54-2013 Authorize Tax Collector to Issue Duplicate Tax Sale Certificate – Block 2007, Lot 23.

F/55-2013 Approve Budget Account Transfers – 2012.

H/56-2013 Authorize Person-to-Person and Place-to-Place Liquor License Transfers – Consumption Liquor License No. 0260-33-039-005.

J/57-2013 Authorize Execution of Developer's Agreement – Block 4703, Lot 1.

Approved: 3/19/13

BILL LIST

The Township Clerk read the amount of the Bill List into the record (\$4,742,228.26).

D.M. Gussen 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 G** (Approve Teaneck Historic Burial Ground Sign). Seconded by Councilmember Stern.

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

Roll Call.

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

Opposed: None.

Absent: None

Abstained: D.M. Gussen (Bill List P.O. #13-00715); C. Katz (Bill List, Raffle #2, Resolution #53-2013 and Resolution #54-2013; C. Schwartz (Raffle #2).

Mayor to declare whether said items were passed.

INTRODUCTION OF ORDINANCES

None.

OLD BUSINESS

None.

MISCELLANEOUS

None.

NEW BUSINESS

1. Nominations (if any) for Vacant Positions.

None.

COMMUNICATIONS

None.

COMMITTEE REPORTS - COUNCIL LIAISONS

Mayor Hameeduddin reported that the Zoning Subcommittee previously met and discussed redesigning the Code to make same more user-friendly; rectifying issues within the Building Department; and development (with the planner).

C. Stern reported that the Cedar Lane Management Group met and discussed a pending application for Walgreens to move onto Cedar Lane and urged the public to attend the upcoming Board of Adjustment Meeting to express their opinions regarding same.

C. Pruitt spoke about the Popeye's on Teaneck Road going out of business and suggested that Council also focus on development in that area.

Mayor Hameeduddin commented on Popeye's franchising issues.

C. Parker reported on the 5th Annual Youth Forum; questioned the Manager if he could work with staff on the Youth Advisory Board Shadowing Day; and made nominations of youth members to the Youth Advisory Board. By a voice vote, the Council was in favor of the Township Clerk listing an appointing resolution on the upcoming agenda.

COUNCIL-LISTED ITEMS

1. "Portable Generator Hook-Ups" – C. Schwartz.

C. Schwartz spoke about concerns he received from residents regarding the above during recent storms and questioned enforcement with respect to the matter. In response, Mayor Hameeduddin suggested that enforcement during emergency situations is difficult and requested that the Manager arrange for the Fire Departments to assist residents with safely hooking up generators

for residents. Manager Broughton responded that he will have the Fire Department circulate literature regarding the matter. Mayor Hameeduddin suggested generator permits as a solution, and the consensus of Council was not in favor.

2. “*Shop Teaneck Tax Credit*” – C. Schwartz.
C. Schwartz requested that this matter be relisted.

3. “*Youth Forum*” – C. Parker.
This matter was discussed under Committee Reports.

4. “*Youth Shadowing Day*” – C. Parker.
This matter was discussed under Committee Reports.

5. “*Nominations*” – C. Parker.
This matter was discussed under Committee Reports.

6. “*Rental Car Tax*” – C. Katz.
C. Katz requested a status, and Mr. Turitz advised that there is no authority.

7. “*Teaneck Clean and Green*” – C. Katz.
C. Katz reported that he received expressed interest from former Councilwoman Monica Honis to serve as the Coordinator to Clean and Green. Council was in favor of the Township Clerk listing an appointing resolution on the upcoming agenda.

TOWNSHIP MANAGER'S REPORT

1. Resident Only Parking.

Manager Broughton requested approval from the Council to work with a resident who raised issues with three-hour parking on Chadwick Road. Council approved.

2. Update – Council-Directed Items.

Manager Broughton informed that the 6-Year Capital Plan will be provided to Council tomorrow; information will be provided to the Senior Center regarding “Crane Day”; regarding PSE&G’s interest in property, Mr. Turitz is working on this matter; he will be contacting the owners of the houses for sale on Queen Anne Road; he will be contacting Bergen One Stop; he contacted Mr. Cramer regarding costs associated with fire safety equipment; Mr. Turitz is still working on the tree ordinance, and the Department of Public Works crafted a list of undesirable trees and read the types into the record; he will provide a status on garbage cans to Council after speaking with Mr. Wilson; there has been no interest in cell phone towers; and PSE&G’s lease has been executed regarding the property across the street from the Rodda Center.

TOWNSHIP ATTORNEY’S REPORT

Mr. Turitz advised that a proposed ordinance will be provided to Council with respect to the trimming of trees for the next meeting.

1. Generic Form of Developer’s Agreement.

Mr. Turitz advised that a proposed ordinance will be provided to Council with respect to the above for the next meeting.

2. Use and Occupancy Agreement with Teaneck Rowing Club.

Mr. Turitz advised that a resolution will be provided to Council with respect to the termination of the current agreement with the Teaneck Rowing Club due to their lack of continued interest.

Approved: 3/19/13

ADJOURNMENT

On a motion made, seconded and carried by way of a voice vote of Council, the meeting was adjourned at 10:43 p.m.

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

JAIME L. EVELINA, RMC
Township Clerk