

Approved: 4/9/13

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

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.

ROLL CALL

Present: C. Stern, D.M. Gussen, C. Pruitt, C. Schwartz, Mayor Hameeduddin.
Absent: C. Parker, C. Katz.
Also Present: W. Broughton, Township Manager; J.L. Evelina, RMC, Township Clerk;
William Rupp, Esq. - Ferrara, Turitz, Harraka & Goldberg, P.C.

MOTION TO GO INTO CLOSED SESSION

Clerk Evelina read Resolution #59-2013 into the record, authorizing the Council to enter into Closed Session.

Having adopted Resolution #59-2013, Mayor Hameeduddin made a motion to close the meeting to the public to discuss matters concerning negotiations; legal issues regarding 635 Norfolk Street and 1116 Congress Avenue; and a legal opinion regarding tax appeals. Seconded by C. Stern and carried by the following vote:

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

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

The Mayor called the meeting to order at 8:03 p.m. and asked all those present to rise for the Pledge of Allegiance.

ROLL CALL

Present: C. Stern, D.M. Gussen, C. Pruitt, C. Katz (arrived at 8:10 p.m.) C. Schwartz,
Mayor Hameeduddin.
Absent: C. Parker.
Also Present: W. Broughton, Township Manager; J.L. Evelina, RMC, Township Clerk; I.
Abbasi, Executive Assistant; J. Jackson, Senior Clerk; Stanley Turitz, Esq.;
William 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.

Mayor Hameeduddin informed the public with respect to the date, time and location of the upcoming Council Meeting; and informed that Council met in Closed Session to discuss matters concerning legal issues, negotiations and tax appeals.

Mayor Hameeduddin made a motion to move Old Business as the first item of business after Presentations. Seconded by C. Stern and carried by the following voice vote:

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

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PRESENTATIONS

Proclamation – The Rotary Club of Teaneck.

Mayor Hameeduddin presented representatives of The Rotary Club with a Proclamation. Manager Broughton spoke in honor of The Rotary Club. Representatives of the Rotary Club expressed gratitude for the Proclamation and announced the details of an upcoming event.

Mayor Hameeduddin announced C. Katz's presence for the record at 8:10 p.m. and offered congratulations to C. Katz regarding the birth of his new baby.

OLD BUSINESS

1. 2013 Municipal Budget.

Manager Broughton presented a PowerPoint Presentation for Council and the public with respect to 2013 Municipal Budget, a copy of which is annexed hereto.

He informed Council that in the event they wish to make amendments to the 2013 proposed budget, those amendments should be announced this evening. He informed that a 6-year plan has been provided to Council. He advised that the budget must be introduced on March 19, 2013 and adopted on April 23, 2013.

C. Stern spoke about Resolution L and the Tax Office refunding taxes immediately thereafter, and Manager Broughton confirmed that checks would be sent out in approximately two weeks. With respect to amendments, he questioned if the budget could be adjusted prior to adoption, and in response, Manager Broughton advised that the amendment process is difficult. He spoke about one potential increase.

Mr. Rupp spoke about the statute allowing amendments of the budget and provided the process. He spoke about publications and public hearings in connection with same. He advised that if introduced, amendments should not be made on the spur and every change requires a re-working of the document.

C. Pruitt questioned monetary figures in the budget in connection with Resolution L, and Mr. Rupp responded that funds would be paid in succeeding years.

Mayor Hameeduddin questioned when the revaluation would commence, and Mr. Broughton responded that same would move forward upon adoption.

Mr. Rupp suggested a special emergency appropriation as a method to fund which would require Council action.

PUBLIC HEARING AND ADOPTION OF ORDINANCE

None.

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.

Art Vatsky – questioned the status of bus shelters, the name of the emergency management officer, the details of Resolution N and if Municipal Building improvements are included in the proposed budget; and raised his issues with the Cedar Lane Streetscape and signage for parking.

Howard Rose – questioned if the PowerPoint Presentation and the proposed budget are on the website; and raised his issues with signage.

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Mona Jefferson – raised her issues with the responses she received with respect to her interest in purchasing a building.

Jason Castle – spoke about dialogue at Board of Education Meetings and questioned if negotiations are pending regarding the four-day work week.

Alex Rashin – raised his issues with previous statements made by a member of Council regarding the bidding process for the Votee Park project, conditions of Township buildings and the four-day work week.

Paul Malek – raised his issues the gun registration process, the hours of service in the Teaneck Police Department; and requested that the hours for service be amended.

Dr. Alan Sohn – raised his issues with transparency.

Yali Elkin – congratulated C. Katz with respect to the birth of his new baby; and raised his issues with legislative actions against gun violence; and provided statistics with respect to guns, licensing procedures and gun-related violence.

Dr. Charles Powers – supported Dr. Sohn's statements; and raised his issues with the budget, OPRA and contractual processes.

Josh Levy – raised his issues with the resolution recently adopted against gun violence, the process by which same was adopted; and spoke about the Second Amendment.

Naomi Cramer – provided details of an upcoming film at the Teaneck Film Festival; raised her issues with tax appeals; commended Council with respect to their proactive measures against gun violence.

Mickey Shilan – appeared on behalf of the Senior Citizen Advisory Board; raised her issue with the loss of the Seniors' last Director who resigned from the Rodda Center.

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 requested that the Manager's PowerPoint Presentation be included on the website and that he look into the hours of service at the Police Department. He spoke about the reevaluation, gun legislation, the negotiations process, reporting personnel concerns to human resources and donors for signage costs. He questioned the status of bus shelters and the emergency management plan.

Manager Broughton informed that bus shelters have been installed. A resident manual is being put together regarding emergency management which should be completed by August 1, 2013. Regarding signage, all signs were replaced three years ago.

C. Katz questioned if the P.A.L. Building could be improved. Council discussed the many organizations interested in the building and referenced discussions with the party interested in purchasing the property.

D.M. Gussen spoke about the funds included in the debt management plan not representative of new spending. C. Katz requested a change in service hours at the Police Department and spoke about the Annual TVAC Gala. C. Pruitt requested a status on negotiation meetings.

Manager Broughton reported the four-day work week would be discussed at the upcoming negotiations meeting. He reported that dead trees on Cedar Lane are receiving attention, along with sidewalks on Cedar Lane and the windows of the municipal building and library. He informed that the budget spreadsheet is guided by State guideline and that he is interested in

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rehabilitating the P.A.L. bathroom. Finally, he informed of the hours of operation for the Police Headquarters.

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 #1351 - Congregation Beth Aaron Men's Club – On Premise Merchandise Raffle - \$40.00.

MINUTES

January 8, 2013 – Closed Session Meeting (Absent: Mayor Hameeduddin) – Approved for Content Only.

January 8, 2013 – Open Session Meeting (Absent: Mayor Hameeduddin).

January 22, 2013 – Closed Session Meeting (Absent: C. Schwartz) – Approved for Content Only.

February 5, 2013 – Closed Session Meeting – Approved for Content Only.

RESOLUTIONS

B/60-2013 Appoint Members to Senior Citizen Advisory Board.

C/61-2013 Appoint Coordinator to Clean and Green Advisory Board.

D/62-2013 Appoint Youth Members to Youth Advisory Board.

E/63-2013 Combine Bonds & Prescribe Details - General Improvement Bonds.

F/64-2013 Authorize Notice of Sale – Bidding of Bonds.

G/65-2013 Award Professional Services Contract – Garbarini & Co., P.C. – Auditor – 2013.

H/66-2013 Award Professional Services Contract – Schwanewede/Hals Engineering – Consultant - 2013.

I/67-2013 Award Professional Services Contract – Dennis Kohler, Esq. – Public Defender – 2013.

J/68-2013 Award Professional Services Contract – Rogut McCarthy, LLC – Bond Counsel – 2013.

K/69-2013 Authorize Emergency Temporary Appropriations – NJ Clean Energy Program & Human Resources.

L/70-2013 Authorize Emergency Temporary Appropriations – County Tax Court Judgments – 2013.

N/71-2013 Amend 2013 Temporary Capital Budget – Fire Truck Reconditioning & Various Equipment Acquisition.

BILL LIST

The Township Clerk read the amount of the Bill List into the record \$3,598,339.85.

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 Resolutions M & O. Seconded by Mayor Hameeduddin.

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

Roll Call.

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

Opposed: None.

Absent: C. Parker.

Abstained: D.M. Gussen - Bill List P.O. #13-01165; C. Katz - Bill List; C. Schwartz - January 22, 2013 Minutes; Mayor Hameeduddin – January 8, 2013 Minutes.

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D.M. Gussen moved Resolutions M/72-2013 and O/73-2013 for discussion and approval.
Seconded by Mayor Hameeduddin.

M/72-2013 Amend 2012 Budget Accounts – Employee Allowances & Advertising.
O/73-2013 Authorize Rescission of Use and Occupancy Agreement – Teaneck Rowing Club.

C. Katz expressed support for the Rowing Club using the Township park; however, he wanted confirmation that Resolution O/73-2013 is an official termination of any agreement, as the Club is not utilizing the park. Mr. Rupp confirmed that said resolution rescinds the Agreement. With respect to Resolution M/72-2013, C. Katz requested an explanation from the Manager. Manager Broughton explained that the Resolution authorizes account transfers.

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

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

The Mayor declared said items were passed.

INTRODUCTION OF ORDINANCES

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

ORDINANCE NO. 4-2013 - AN ORDINANCE AMENDING CHAPTER 33, DEVELOPMENT REGULATIONS,” OF THE CODE OF THE TOWNSHIP OF TEANECK ESTABLISHING THE MEDICAL OFFICE RESIDENTIAL OVERLAY DISTRICT (MOR) AND THE MEDICAL OFFICE BUSINESS OVERLAY DISTRICT (MOB).

ORDINANCE NO. 5-2013 - AN ORDINANCE AMENDING SECTIONS 33-13 OF ARTICLE II AND 33-17 OF ARTICLE III OF CHAPTER 33 OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO DEVELOPER’S AGREEMENTS IN CONNECTION WITH SUBDIVISION AND SITE PLAN REVIEW.

ORDINANCE NO. 6-2013 - BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY AND NEW INFORMATION TECHNOLOGY EQUIPMENT, AND THE RECONDITIONING OF A FIRE LADDER TRUCK, IN, BY AND FOR THE TOWNSHIP OF TEANECK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$872,800 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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.

C. Katz moved that these Ordinances be introduced and passed on first reading and that the Township 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. Seconded by D.M. Gussen.

Mayor to inquire as to whether any Councilmember wishes to comment upon the motion to introduce.

No member of Council commented.

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

Roll Call

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

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MISCELLANEOUS

None.

NEW BUSINESS

1. Nominations (if any) for Vacant Positions.
None.
2. Tax Appeals.
This matter was previously discussed.

OLD BUSINESS

1. 2013 Budget.

Manager Broughton questioned if there are any adjustments that Council would like to make to the 2013 Budget. In response, Mayor Hameeduddin requested the inclusion of a camera for the Department of Public Works. Manager Broughton acknowledged his request.

Council discussed improvements to the P.A.L. Building, and the majority of Council was in favor of authorizing \$20,000.00 towards same. Manager Broughton will be prepared to introduce on March 19th.

C. Stern questioned where tax rate is headed, and Manager Broughton deferred to the Auditor.

C. Katz discussed his Council-Listed Item regarding the dedication of the inclusive playground. He questioned if Council would be in favor of dedicating the playground to Netti Balsam. Council was in favor, provided the family's consent was received. C. Katz will reach out to the family.

C. Katz left at 9:55 p.m.

Mr. Garbarini, Auditor spoke about the budget process starting in November and the importance of introducing and adopting the budget in the time prescribed by law. As there is no Local Finance Board approval yet, everything will be included on the introduced budget on March 19, 2013. The tax rate will be 2.539%. The municipal rate on its own will be .897%, and the library will be .031%, and these rates are assuming that approval is not received from the Local Finance Board. He explained that 2.2 million dollars will be spread out over three years. Assuming the 2.2 million dollars is included in the 2013 Budget, the rate will be .298%. The rate now is 2.399% with municipal at .823% and the library at .032%.

COMMUNICATIONS

None.

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Stern informed that the County Open Space Trust Fund Committee approved Teaneck's request for playground renovation equipment and recommended to the Freeholders that same be awarded.

COUNCIL-LISTED ITEMS

1. "*Shop Teaneck Tax Credit*" – C. Schwartz.
This matter will be relisted for discussion on March 19, 2013.
2. "*Mental Illness*" – C. Schwartz.
C. Schwartz suggested that mental illness is the illness of the 21st century and that the Township Council should urge State and Federal illness leaders to focus on same.
3. "*Dedication of the Inclusive Playground*" – C. Katz.
This matter was previously discussed.

C. Stern requested that Manager Broughton request from the auditor the percentage increase in the municipal tax rate.

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4. *Town Hall Meeting of the Seniors at the Richard Rodda Community Center* - C. Parker.
This matter will be relisted for discussion on March 19, 2013.
5. *"Listing of Council Liaison Appointments, Advisory and Statutory Boards to the Website"* - C. Parker.
This matter will be relisted for discussion on March 19, 2013.

TOWNSHIP MANAGER'S REPORT

1. Summary – 2013 Municipal Budget.
This matter was previously discussed.

2. Update – Council-Directed Items.
Manager Broughton reported the following: the Dog Park is almost finished, and an ordinance will be listed for introduction on March 19, 2013 regarding same; two houses along Queen Anne Road by Votee Park are under contract; and the Police Department Plaque will be in this week.

TOWNSHIP ATTORNEY'S REPORT

None.

ADJOURNMENT

D.M. Gussen made a motion to adjourn the meeting at 10:05 p.m. Seconded by Mayor Hameeduddin and carried by the following vote:

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

I hereby certify that the above minutes were approved by the Township Council on April 9, 2013.

JAIME L. EVELINA, RMC
Township Clerk