

MINUTES OF THE OPEN SESSION MEETING OF  
THE TEANECK TOWNSHIP COUNCIL  
HELD IN THE MUNICIPAL BUILDING CHAMBERS  
TUESDAY, APRIL 3, 2012

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution #28-12, setting the 2012 meeting dates and Resolution #73-12, 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

MOTION TO GO INTO CLOSED SESSION

RESOLUTION 86-12. - Authorize Council to enter Special Session.

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution #28-12, setting the 2012 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

MOTION TO GO INTO CLOSED SESSION

RESOLUTION 87-12. - 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 p.m. and asked all those present to rise for the Pledge of Allegiance.

Present: C. Parker, C. Stern, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin

Absent: DM. Gussen (at time of roll call)

Also Present: S. Turitz/W. Rupp – 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 #28-12, setting the 2012 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 announced that the Police Department's Records Bureau will be closed on Friday, April 6, 2012 in observance of Good Friday; the next confidential paper shredding event will be held on Sunday, April 29, 2012; the next scheduled Council Meeting will be held on Tuesday, April 24, 2012.

## PRESENTATIONS

Certificate of Appreciation – Teaneck Moose Lodge – Donation to Teaneck Police.

Mayor Hameeduddin presented Nick Thorio of the Teaneck Moose Lodge with a Certificate of Appreciation; Lt. Kenny Croonquist spoke in appreciation on behalf of the Teaneck Police Department.

C. Katz thanked the Teaneck Moose Lodge in addition to the bears, for their generosity with the Food Pantry and the Thanksgiving Food Drive; C. Katz welcomed two former Governors' from the Moose Lodge.

Nick Thorio advised that the Teaneck Moose Lodge implemented the comfort bear 'moose' back in 2003 as part of a Nationwide Program to be given out to Police Departments and Ambulance Corps.

## PUBLIC HEARING AND ADOPTION OF ORDINANCES

Ms. Evelina to read the following Ordinance by title only:

**ORDINANCE #4257 – ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.**

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 now open. Any members of the public wishing to be heard on said ordinance or to ask questions concerning said ordinances may come forward and state their name and address for the record. Comments or questions shall be limited to five minutes per person.

Alex Rashin, Teaneck – opposed to Ordinance 4257 and asked Council to vote against the Cap Bank;

David Spielmen, Teaneck – asked Council for clarity on exactly what a “Cap Bank” is;

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

Township Manager provided clarity as to what exactly the Cap Bank was; this is a bank on appropriation of funds that are spent; this law has been in existence since 1977; encouraged Council to take advantage of this process; the Township could feel effects possibly two years from now if not passed.

Township Attorney Rupp noted Cap is “limitations and/or ceiling”; the Cap Ordinance does two things: omits the banking of whatever is not used and the other would be to raise the Cap to a certain percentage;

C. Toffler opposes Ordinance 4257; spoke on the zero percent increase

Township Manager added clarity on the two separate issues spoke about by C. Toffler, one being the levy cap (automatically received without a resolution), this ordinance (4257) is about the appropriation, not revenue.

C. Parker questioned whether or not the Township should have used the Township's appropriating cap should come before the Governing Body before the it's passed;

C. Toffler asked for clarity under 'general revenue', asked where does this surplus come into play;

Township Manager advised every year generally the Township generates approximately \$6,000,000 in surplus, for the following year the Township's takes \$4,450,000 to use in the current year's budget; the balance is what the Township starts off the year with;

C. Parker spoke on what was explained to her as the 'fund balance', which would be used to pay the bills of the Township.

C. Katz asked the Township Manager what the cap is as of now;

Township Attorney Rupp responded and noted approximately \$4,000,000 which is not being appropriated, nor is it surplus;

C. Stern questioned if the Township does not have the additional cap bank then we would be put in the predicament where we have the money but cannot spend it; questioned if the Township had the cap back, funds would then be available to be used for tax relief in the future; to be used to reduce the tax levy; C. Stern supported the cap bank;

Township Attorney advised that the appropriated monies are there if needed for the following year;

DM Gussen advised that the cap bank is to allow us access to monies in future years, if we don't have it, we wouldn't spend it; ultimately providing property tax relief to residents; DM Gussen opposed to cap bank; feels we need to spend less over a long period of time; unforeseen issues will be dealt with when we get to them;

C. Katz notes why have a credit limit out there and be able to access it; the Township should be looking for efficiencies; when there is an emergency, we deal with it when it comes up; C. Katz opposes the cap bank;

C. Parker supports the cap bank;

CFO Christine Brown gave an example of another town who was limited to run a program because it wasn't appropriated for; noted the appropriation to have it, but not saying to spend it; asked Council to reconsider their thoughts;

Councilmember Parker moved to pass Ordinance 4257 on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by Councilmember Toffler.

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

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

Roll Call.

In Favor: C. Parker, C. Stern

Opposed: DM. Gussen, C. Honis, C. Katz, C. Toffler, Mayor Hameeduddin

Absent: None.

Mayor Hameeduddin declared that said ordinance was not 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.

None.

Mayor Hameeduddin 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.

Ruth Brower, Teaneck – noted her letters to the Township on several occasions regarding the destructive root growth of the red maple tree on her property and the damage it has done to her sewer system.

Leslie McKeon, Teaneck – briefly supported an earlier speaker's petition; spoke on behalf of Teaneck 20/20 about a panel and discussion that will be held on April 4, 2012 at Bryant School on safety issues and concerns with respect to Votee Park;

James Tighe, Township employee - spoke in favor of the four-day work week; benefits to the Township; feels things are working well for all and Council should consider keeping things as they are; noted less gasoline consumption with traveling four days a week verses five days a week;

Rosiland McLean, Township employee – spoke on behalf of the ASFCME Union in favor of the four-day week. Read statement into the record; advised Council of the adjustments the employees have made to their lives and the re-arrangements to child care activities; advised Council that the employees felt like they were political pawns (political football);

Seth Cohen, ASFCME representative of 820 – spoke in favor of the four-day work week; spoke on the savings the Township has endured by having the building closed an additional 52 days a year;

Curtis Caviness, Township Employee – noted he has worked with the Township for over twenty-five (25) years and worked with five (5) different manager's; although the Township is now working on a four-day schedule, Mr. Caviness has been called by the State and Fire Department on a Saturday and has addressed the matter at hand; advised Teaneck was in the 21<sup>st</sup> Century and was in favor of the four-day work week.

David Spielman, Teaneck – referred to Resolution I of the Agenda which talked about the May 8, 2012 Elections and felt the dates given did not give a sufficient amount of time;

Mildred Tucker, Teaneck – noted the talk of the four-day work week was not about politics; spoke about the Township entertaining a skeleton crew;

Alex Rashin, Teaneck – spoke on the budget and many items in the budget that can be cut; not too sure where the money came to balance the budget; spoke on the residential tax and tax appeals resolutions; spoke on Resolution H and questioned why the Department of Public Works couldn't clean the Rodda Center;

Gwen Acree, Teaneck – apologized to Council as she said she would never come and speak about tax appeal again; asked for clarity on the tax appraisal resolution;

Naomi Cramer, Teaneck – gave clarity as to allowing the workers to remain on the four-day work week, but keep the building open for the five days; apologized for other speakers who seemed to have turned this into a political issue, it is not; spoke about the Forum;

Henry Pruitt, Teaneck – requested a chart for the categories of income and expense for next year;

There being no further persons wishing to speak at this time (or the time limit of one hour having expired), Mayor Hameeduddin declared that the public comment portion of the meeting was now 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 asked Township Attorney to write a letter to Ms. Ruth Brower; Township Attorney believes this letter should come from the Township Manager;

Mayor Hameeduddin advised an earlier speaker that the four-day work week was brought up in public by C. Toffler; further noted he was sorry all was going through this but does not like to negotiate in public; wants to continue good relations with all;

C. Toffler noted there wasn't a cheering community along side of her for the five day work week; delighted consideration may be taken toward staggered hours; asked Mr. Kronick for a copy of the language of the four-day work week; wants to see the DVD;

C. Honis not in favor of changing the four-day work week; very vocal about not going back to the five day; mentioned having to go to another municipality and having to take time off from work to make their hours of operation; clarified she never said "we" were looking at staggering hours;

DM Gussen spoke on the concern of private conversations between Council members and a possible violation of the law; C. Toffler added; do not put words into my mouth, I listened to the Clerk, and was advised it was to be listed as four-day work week, not staggering hours under Council listed items; DM Gussen said there is nothing wrong, illegal, inappropriate or unethical with having private discussions about what we're dealing with; what is wrong is for a majority of Council to have a group discussion; when speaking of the Open Public Meetings Act it is very important that we speak clearly.

Township Attorney Rupp explored the law of the Open Public Meetings Act, Title 10 of the Statute, regarding Council discussion and the amount of members present to discuss business;

DM Gussen asked Township Attorney Rupp to address Mr. Rashin's questions on tax appeal and legal fees;

Township Attorney Rupp gave brief explanation of the two resolutions regarding the appraisals and residential tax appeals, in which the residential tax appeal required a lesser of a license and would be handled by a different appraiser at a lower rate; both resolutions were designed to assist the Assessor in the handling of the tax appeals; reported the Assessor has received approximately 1250 and expected the total to rise to approximately to 2000;

DM Gussen summed up for all that at the last meeting Resolution I and J were related to the Township contracting with Appraisals Systems Inc. and McNerney and Associates for the purpose of real estate appraisals for tax appeals;

Township Attorney Turitz advised that there were detailed contracts for professional services, including dollar amounts the appraisers receive per case, attached to each of the resolutions;

Township Clerk Evelina addressed the mailings for the elections; advised currently working with Ken Stuben of Printing Craftsman on the elections supplies and production of the resolutions and all necessary contractual attachments; will confirm date of mailings;

C. Katz took the opportunity to thank all employees for their hard work; not sure if the four-day work week is a perfect system, has received a handful of complaints; added the five day work week did not work with the residents; large base of commuters traveling to NYC and cannot make it back in time to perform their business; supports the four-day work week; is open to ideas to improve the four-day work week and make it better;

DM Gussen spoke on several occasions over his first three and half years on Council advocating for the four-day work week; not because it was a benefit to the workers, but for the greater worker productivity, less absenteeism, greater professional development, and less injuries were noticed when working a four-day; noticeable savings with the four-day work week;

C. Toffler noted this was not a political vendetta; noted cottage parties being held; noted Jackson Township had been on a four-day work (Furlough plan) and recently went back to a five day work week; noted that she doesn't want to be the villain here but believes in a five day work week; noted flexible hours;

C. Katz noted that C. Toffler was on the sub-committee;

C. Parker referenced comments from the March 6, 2012 meeting; further noted there should not be a debate in public; firmly believes the building should be open five days a week and noted the Unions should not be disturbed during this process; up to the Manager to make it happen;

Township Manager added that the four-day work week was given to him in 2009 to achieve and believes it has been achieved and implemented; again reiterated processing transactions from 8-5:15 and accommodating commuters; questioned a comment made by C. Toffler regarding Jackson's hours;

Mayor Hameeduddin noted discussions of this matter are not to be negotiated in public or suggested in public;

Township Manager addressed issues regarding the budget and transparency; noted transparency is not an issue; referenced and listed a timeline on the budget;

C. Parker asked Township Manager to put together a small power point presentation on the timeline for the budget, itemizing the budget cuts, etc.

Township Attorney Turitz advised if any changes are to be made to the budget they must be given to the Manager now, as the auditor must prepare;

Township Attorney Rupp sent a communication to Council and spoke with the Auditor; any changes to the budget require a recalculation of such and it takes time, a minimum of two weeks for any amendments; noted requirements of the statute;

#### 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.

RA #1319 - Center for Food Action - \$80.00.

RA #1320 - Center for Food Action - \$80.00.

RA #1321 - Center for Food Action - \$20.00.

#### MINUTES

January 12, 2012 – Budget Meeting (C. Stern, C. Katz – Absent).

January 19, 2012 – Budget Meeting.

January 26, 2012 – Budget Meeting (C. Katz – Absent).

February 2, 2012 – Budget Meeting.

#### RESOLUTIONS

88-12. Authorize Agreement with County of Bergen – Emergency Services Notification System.

89-12. Authorize Issuance and Payment of Emergency Voucher – Nature's Choice Corporation – October 2011 Storm.

90-12. Refund 2011 Tax Appeals Pursuant to State Tax Court Decisions – CFO – Various.

91-12. Refund 2010 and 2011 Tax Appeals Pursuant to State Tax Court Decisions – CFO – Various.

92-12. Refund 2011 Tax Overpayments – CFO – Various.

93-12. Award Contract – Oriental Pacific Maintenance Company – Rodda Center Cleaning Services.

- 94-12. Award Contract – Printing Craftsmen, Inc. – Printing of Election Supplies for 2012 Municipal Election.
- 97-12. Authorize Emergency Temporary Appropriations – CFO – Police Cars.
- 95-12. Appoint Member to Affirmative Action Advisory Board.
- 96-12. Appoint Members to Parks, Playgrounds and Recreation Advisory Board.

BILL LIST

Ms. Evelina read the amount of the Bill List into the record (\$9,972,837.80).

DM. Gussen moves 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 Bill List item #166273. Seconded by Councilmember Stern.

C. Katz pulled Resolution 97-12 and Check No. 166273.

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

Roll Call.

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

Opposed: None.

Absent: None.

Abstained: C. Katz (Resolution 90-12, 91-12, 92-12), C. Parker (Resolution 90-12, 91-12, 92-12)

DM Gussen moved Resolution 97-12.

C. Katz asked Township Manager to give an explanation on Resolution 97-12; Township Manager advised it was to reduce the amount the Township had for police cars in the temporary budget; C. Katz are we buying more police cars; Township Manger advised no, it's the vehicles that will be purchased in 2012.

Moved by C. Katz. Seconded by C. Honis.

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

Opposed: None.

Absent: None.

DM Gussen moved the Bill List. Seconded by C. Toffler.

C. Katz asked Township Attorney Turitz if Check No. 166273 was a mistake, thought this fee (Thomas Hanrahan) was already paid (page 12); asked to table it;

DM Gussen motioned to table Bill List item Check No. 166273 (\$7,397.750). Seconded by C. Stern.

In Favor: C. Stern, C. Honis, C. Toffler, Mayor Hameeduddin

Opposed: None.

Absent: None.

Abstained: C. Parker (Check No. 166273), DM. Gussen (Check No. 166273 and Check No. 166625) C. Katz (Check No. 166273)

Mayor Hameeduddin declared said items were passed.

## INTRODUCTION OF ORDINANCES

None.

## OLD BUSINESS

### 1. 2012 Municipal Budget –

Mayor Hameeduddin advised that the Council did not get a raise; Township Manager advised the Auditor did not deduct \$985.

Mayor Hameeduddin asked if anyone from Council would like to take anything out of the budget; C. Parker advised she was not in support of the IQM2 software; C. Toffler advised she was also not in favor of the IQM2 software; Township Manager believes this IQM2 software that would be an improvement; Mayor Hameeduddin advised that all in favor of a zero percent budget increase unless we hear something different that would impact services next year;

Township Manager advised on the Public Works over time budget was reduced by \$100,000; relative to the particular cuts, some issues could arise; none foreseen at this time;

C. Parker believes if there may be a potential problem may occur next year, why pass the budget;

Mayor Hameeduddin discussed the zero percent, 1.9 percent, or an alternate; C. Honis stated she supported the Mayor with respect to a 1.9% whereas C. Katz supported the zero percent increase;

Township Manager noted if a problem occurred the Township has the funds from the cap bank;

C. Katz inquired on the parking enforcement officers: Township Manager advised we currently have one (1) full time and two (2) part time;

Mayor Hameeduddin discussed the IQM2 software; advised of two members who would like to take it out of the budget; Township Attorney recommends to not spend money to remove the software, it will cost to have it removed; both opposed members agreed;

C. Parker inquired on clarification for the Table of Organization for the Clerk's Office, asking whether or not it would allow for an additional employee (receptionist); Township Manager advised budget allowed for a temporary employee;

DM Gussen would this receptionist position fall under the Clerk's Table of Organization or the Manager's; receptionist position would fall under the Manager's Table of Organization, but in proximity would be under Clerk's Table of Organization; C. Parker wishes to see a Deputy Clerk's position rather than a receptionist position;

C. Stern inquired on the additional \$150,000 that was put in reserve for the tax appeals; Township Manager advised the money is kept aside in two places, one is in the reserve and the other is the surplus; last year's appeals reached approximately \$600,000, this year we are a bit ahead and have budgeted approximately \$200,000 to offset some of these costs;

Mayor Hameeduddin asked all members is they were in favor of the zero percent increase budget; all were in favor, with further discussion to take place on the IQM2 software; Township Manager added that he would provide Council with further presentation; further noted the Township wouldn't be purchasing a software package, we would be purchasing a monthly subscription;

C. Stern thanked the Township Manager for taking Council up on the request and bringing the Township down to a zero percent budget;

MISCELLANEOUS

None.

NEW BUSINESS

None.

COMMUNICATIONS

1. Email from New Jersey Division of Alcoholic Beverage Control, Dated 3/27/12 – “April is National Alcohol Awareness Month”.

Mayor Hameeduddin asked if Council was ok with passing this Resolution (New Jersey Division of Alcoholic Beverage Control); all members were in favor;

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Parker thanked her colleagues for coming to the Youth Forum and a special thank you to Scott Pleasants who put the Forum together; C. Toffler thanked C. Parker for the work done at the Forum; C. Parker further thanked Executive Assistance Issa Abbasi and the Township Manager for their part in the Forum;

COUNCIL-LISTED ITEMS

1. Four-Day Work Week (C. Toffler). Discussion took place earlier in meeting.

TOWNSHIP MANAGER'S REPORT

Township Manager advised that the Township launched its new website and should be up and available to everyone; Township Manager thanked Executive Assistant Issa Abbasi and the MIS Department personnel, Vince Dugan and Andrew Fisher and all Department Heads who helped work through the process;

C. Parker inquired whether or not there was an update on the Board of Education’s email regarding their meetings not being able to be telecasted; Township Manager advised that he reached out to Ron Goodman and advised that there was a switch located upstairs in the Municipal Building that may have been faulty; a new switch has been ordered; Township Manager advised of the resident inquiries or issues that come in through the website to specific departments are also coming through to him, in where he is monitoring;

C. Parker asked if webcasting for Council meetings can be looked into;

TOWNSHIP ATTORNEY’S REPORT

None.

ADJOURNMENT

DM. Gussen moved to adjourn at 10:26 p.m. Seconded by Councilmember C. Toffler.

Roll Call.

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

Opposed: None.

Absent: None.