

MINUTES OF THE OPEN SESSION MEETING OF
THE TEANECK TOWNSHIP COUNCIL
HELD IN THE MUNICIPAL BUILDING CHAMBERS ON
TUESDAY, JANUARY 22, 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. Parker, C. Stern, DM. Gussen, C. Pruitt (arrived 7:15 p.m.), C. Katz (arrived 7:16 p.m.), Mayor Hameeduddin.

Absent: C. Schwartz.

Also Present: W. Broughton, Township Manager, J.L. Evelina, RMC, Township Clerk;
S. Turitz, Esq. – Ferrara, Turitz, Harraka & Goldberg, PC.

MOTION TO GO INTO CLOSED SESSION

The Township Clerk read Resolution #15-2013, authorizing the Council to enter into Closed Session into the record.

Having adopted Resolution #15-2013, DM. Gussen made a motion to close the meeting to the public to evaluate the Township Manager and Clerk; and discuss personnel, legal issues and negotiation updates. Seconded by C. Stern and carried by the following vote:

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

Opposed: None.

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

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

The Mayor called the Open Session Meeting of the Teaneck Township Council to order at 8:06 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, Mayor Hameeduddin.

Absent: C. Schwartz.

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 informed the public of the upcoming Council, Budget and Emergency Preparedness Meetings, matters discussed during Closed Session and recognized Senator Weinberg.

Mayor Hameeduddin made a motion to **table Resolution F** (Appoint A. Wilkerson as Alternate #2 Member to Planning Board) **and Resolution G** (Appoint H. Thompson as Alternate #2 Member to Planning Board). Seconded by C. Katz and carried by the following vote:

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

Opposed: None.

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

PRESENTATIONS

None.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

The Township Clerk read the following Ordinance by title only:

ORDINANCE NO. 4281 - AN ORDINANCE AMENDING APPENDIX III OF CHAPTER 2 DELETING BUILDING DEPARTMENT FEES FOR SHEDS, SECTION 33-3 OF ARTICLE I, AMENDING THE DEFINITIONS OF BUILDING COVERAGE AND LOT COVERAGE, SECTION 33-17 OF ARTICLE III RELATING TO SITE PLAN REVIEW PROCEDURES, AND SECTIONS 33-23 AND 33-24 OF ARTICLE V, "ZONING ORDINANCE," OF CHAPTER 33, "DEVELOPMENT REGULATIONS," OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO NON-CONFORMING USES, LOTS AND STRUCTURES, TOTAL BUILDING VOLUME, ZONING PERMITS, YARD AREAS, STORAGE SHEDS, ACCESSORY STRUCTURES AND SIDE YARD PAVING LIMITATIONS

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

No member of the public commented.

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

Mayor Hameeduddin moved to pass Ordinance 4281 on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by Councilmember Katz.

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.

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

Opposed: None.

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

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.

Mayor Hameeduddin informed that he plans to support legislature against gun violence.

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.

Jim Norman – spoke against gun violence and provided a sample resolution against illegal guns.

Leslie McKeon – raised her issues with the four-day work week.

Sandra Young - raised her issues with the four-day work week.

Jason Castle – raised his issues with the four-day work week and the process; and provided his timeline.

Approved: 3/19/13

Jim Griffin – expressed appreciation to the Mayor for his position against gun violence and requested that Council adopt a resolution against same.

Howard Rose – congratulated Councilwoman Parker on a recent recognition; spoke about guns; and raised his issues with the four-day work week.

Ron Schwartz – requested that Teaneck take the lead against gun violence.

Alex Rashin – suggested that funds be allotted to Teaneck Police Department to fund software that will allow tickets to be electronically written from police cars; raised his issues with the four-day work week and union contractual documents.

Art Vatsky – raised his issues with “the shack” at Route 4 and Belle Avenue; requested that pot holes and intersections be improved by the New Jersey Department of Transportation; and raised his issues with the four-day work week.

Barbara Toffler – questioned appropriations for soccer field improvements, based on previously-adopted resolution, approve minutes and the 2013 proposed budget.

Tom Abbott – spoke about tax levy differences and the 2013 proposed budget.

Micky Shilan – spoke about Teaneck High School students offering assistance to seniors and expressed appreciation.

Naomi Cramer – raised her issues with the four-day week; requested monies be allotted for additional classes at the Senior Center; supported resolution against gun violence; and expressed her belief that a previously-proposed resolution was adopted.

Alan Sohn – raised his issues with Township projects, the four-day work week and past and current processes.

Senator Loretta Weinberg – congratulated C. Parker on her recent recognition; requested the adoption of a resolution against gun violence; and raised her issues with the four-day work week and the processes used with same.

Charles Powers – supported the endorsement of a resolution against gun violence; raised his issues with the Debt Management Plan and the attorney’s contract; spoke about the Township needing a six-year capital plan; expressed his belief that previous minutes were not completed, based upon them not appearing on the website.

Lillian Lewis – offered congratulations to C. Parker for her recent recognition; requested that Council adopt a resolution against gun violence; and expressed support for the four-day work week based upon the savings in connection with same.

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 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 expressed support against gun violence and spoke about New Jersey’s gun laws.

Council supported a proposed resolution against gun violence being listed for public input and adoption at its next meeting.

Mayor Hameeduddin responded to Teaneck 20-20’s representatives’ accusations and advised of the following: negotiations cannot be conducted in public; a timeline with the four-day work week is being prepared for public; solutions are welcomed from the public; and to raise rhetoric.

Approved: 3/19/13

C. Parker expressed her beliefs that Council should have handled the implementation of the four-day work week in a different manner, discussions regarding same were conducted in public and that such changes should have been reflected in minutes.

C. Stern requested that Mr. Turitz respond to Ms. Cramer's statements regarding a previously-pulled resolution from a former meeting.

Mr. Turitz confirmed that the resolution to which she referred was pulled and not adopted.

C. Parker referenced the minutes from the meeting when the aforementioned resolution was listed and pulled, and she confirmed that the meeting minutes correctly reflect that the resolution was not adopted. She requested that future meeting minutes include letters and numbers of resolutions to provide a better understanding for the public.

C. Pruitt requested clarification with respect to funds provided for soccer fields in the budget from the Manager. D.M. Gussen responded that the Green Acres application dates back to 2010 while the work in connection with that application dates back to 2007. Over the years, additional items that were not originally envisioned have been included. He also urged Council not to support all items included but to focus on the soccer fields. Manager Broughton advised that a drainage project is included in the costs.

C. Parker questioned the Manager as to why attendance is being taken at senior citizen classes, and Manager Broughton responded that this is the way in which the Recreation Center is identifying who has registered for classes.

Manager Broughton clarified that the appropriations increase is 2.9%, not the tax levy.

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 #1346 – Congregation Netivot Shalom – Off Premise Merchandise Draw Raffle - \$20.00

RA #1347 – Congregation Netivot Shalom – Off Premise Merchandise Draw Raffle - \$100.00

RA #1348 – Geriatric Services, Inc. – Off Premise 50/50 Draw Raffle - \$20.00

RESOLUTIONS

B/16-2013 Appoint Member to Advisory Board on Community Relations.

C/17-2013 Appoint Member to Library Board.

D/18-2013 Appoint Member to Social Services Advisory Board.

E/19-2013 Appoint K. Jones as Alternate #1 Member to Planning Board.

H/20-2013 Authorize United Water to Install Water Main Extension.

I/21-2013 Authorize Issuance of Payment to M. Ingannamorte and Son, Inc. – Hurricane Sandy.

J/22-2013 Authorize Tax Collector to Set Liens on Unpaid Pool Fees.

K/23-2013 Appoint J. Pampaloni, Jr. as C-3 Licensed Operator – 2013.

M/24-2013 Refund Tax Overpayments – Block 2104, Lot 19 – 2012.

N/25-2013 Appropriate Capital Improvement Funds – 2012 Community Development Project – Resurfacing of Ayers Court & Lozier Place.

P/26-2013 Refund Taxes Pursuant to State Tax Court Decisions – Various – 2009 to 2012.

Q/27-2013 Ratify Payments – December, 2012.

R/28-2013 Approve Budget Account Transfers – 2012.

S/29-2013 Authorize Submission of Annual Accomplishment Report – Community Forestry Management Plan – 2012.

T/30-2013 Authorize Submission of Tree City USA Application – Re-Certification – 2012.

U/31-2013 Authorize Historic Designation of Big Red Oak Tree – 339 Cedar Lane.

V/32-2013 Authorize Lease Agreement with PSE&G – Green Acre Encumbered Parkland.

Approved: 3/19/13

BILL LIST

The Township Clerk read the amount of the Bill List into the record (\$6,132,807.26).

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 L, Resolution O and all minutes**. Seconded by Mayor Hameeduddin.

Mayor Hameeduddin 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, Mayor Hameeduddin.
Opposed: None.
Absent: C. Schwartz.
Abstained: C. Parker (Bill List, except #13-00321); D.M. Gussen (Bill List Item #13-00321);
C. Katz (Bill List).

Mayor Hameeduddin declared said items were passed.

Council requested an interview of Schwanewede/Hals prior to awarding a professional services contract.

C. Katz made a motion to **approve Resolution O/33-2013** (Award Professional Services Contract – Schwanewede/Hals Engineering – 2012 Community Development Project – Resurfacing of Ayers Court & Lozier Place). Seconded by C. Stern and carried by the following vote:

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

Tabled Items:

MINUTES

November 29, 2012 – Special Session Meeting (C. Stern, Absent).
December 4, 2012 – Special Session Meeting.
December 18, 2012 – Open Session Meeting (DM. Gussen, Absent).
Resolution F (Appoint A. Wilkerson as Alternate #2 Member to Planning Board).
Resolution G (Appoint H. Thompson as Alternate #2 Member to Planning Board).
Resolution L (Award Professional Services Contract – Schwanewede/Hals Engineering – Consulting Services – 2013).

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 Ordinances by title only:

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.

C. Parker referenced her previous request to have a description of ordinances scheduled for introduction read into the record prior to introduction. Mayor Hameeduddin requested that a description be prepared prior to each meeting going forward. Manager Broughton acknowledged the request and went onto explain that these ordinances were added at the requests of residents for parking changes.

Approved: 3/19/13

Council requested that the Manager correspond with residents who currently have parking to confirm whether these spaces are still needed.

Seconded by Councilmember Parker.

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

Roll Call.

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

Opposed: None.

Absent: C. Schwartz.

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

OLD BUSINESS

1. 4-Day Work Week Timeline.

Mr. Turitz advised that he reviewed minutes and other documentation to identify references made to the implementation of the work week. He referenced the following: AFSCME Contract, signed December 17, 2003 which commenced January 1, 2004 and its Amendment; a Press Release published in the Suburbanite on August 6, 2009, referencing the change of hours, effective August 17, 2009; minutes of February 9, 2010, February 23, 2010, April 27, 2010, May 25, 2010, June 15, 2010, June 22, 2010, July 27, 2010 and August 10, 2010. He mentioned that said minutes were provided to Senator Weinberg.

Mayor Hameeduddin questioned Mr. Turitz if the Council did anything illegal, and Mr. Turitz advised that his legal opinion is that Council did nothing illegal.

D.M. Gussen spoke about the minutes documenting discussions of the four-day work week and suggested moving forward with potential policy changes, as there is clearly nothing wrong with the procedure.

2. Emergency Response Subcommittee.

This matter was listed at the request of C. Parker, and she requested an update. Manager Broughton informed that funds are in the budget for signs, the resident emergency preparedness manual, a town-wide alert system, lights to be stationed in certain areas of the Township and ordinances. He spoke about volunteers for transitional centers. Council requested the Manager to submit a list of discussed items.

3. Request for Endorsements – Family Teen Center.

This matter was carried from Council's last meeting, as the requestor's applications did not reflect a Teaneck address.

Council expressed appreciation for the concept; however, the location presented an issue. The applicant confirmed that there is no current lease in effect. The applicant will explore alternate locations.

Approved: 3/19/13

4. New Tree Ordinance.

Mayor Hameeduddin and C. Katz will work with the Manager to find solutions for those residents who are negatively impacted by Township trees while maintaining the trees.

MISCELLANEOUS

None.

NEW BUSINESS

1. Nominations (if any) for Vacant Positions.

None.

COMMUNICATIONS

None.

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Parker informed that the Youth Advisory Board would like to schedule a Youth Shadowing Day, and Council was in favor.

COUNCIL-LISTED ITEMS

1. *“Redevelopment Committee”* – Mayor Hameeduddin

A Council Subcommittee was established, and C. Stern, C. Pruitt and Mayor Hameeduddin will serve.

2. *“Boat Dock Agreement at Andreas Park”* – C. Katz

Mr. Turitz advised that the Rowing Club will report back in February, 2013.

3. *“Car Rental Tax”* – C. Katz

Mr. Turitz will research the possibilities and report back to Council.

4. *“Private Handicap Parking Spaces”* – C. Katz

This matter was discussed earlier during the meeting.

5. *“Alternate Statutory Board Members - Status”* – C. Pruitt

C. Pruitt informed that he will list for another time.

TOWNSHIP MANAGER'S REPORT

Manager Broughton informed that a slide used during his budget presentation needs to be corrected to reflect “appropriations” and not “tax levy”. He will make these corrections.

1. Energy Service Provider.

Manager Broughton informed that he is looking at alternate service providers for cost savings.

2. BCCD Block Grant – ADA Bathroom.

Manager Broughton informed that the County would like to see this money used. Several residents are interested in using the location for meeting space. He is suggesting that the building be rehabilitated.

3. Staffing – OPRA Requests.

Manager Broughton informed that the Township is receiving an inordinate amount of OPRA Requests. He advised that additional staff may be required for the Clerk’s Office if the Township continues to receive requests of this volume.

Clerk Evelina informed that the requests are impacting all Departments. In response to questions from Council, Clerk Evelina advised that the legislature in its current form provides that the Township can charge wholesale costs only for hard copies of documents; however, in cases when the requestors seek records via email and/or facsimile, the Township must release the documents free of charge. As such, there is no revenue generated yet the costs associated to fulfill each request is high, when considering the Management Team’s time and legal review time. She discussed the way in which requests are received and the approximate amount received by her Department, no including other Departments.

Approved: 3/19/13

Manager Broughton clarified that he is not requesting additional staffing at this time but simply advising Council of the impact of OPRA. He advised that often times, repeat requesters delay the fulfillment of other types of requests. In response to Council, he confirmed that no state funding is received for this service. C. Parker requested that Council see what is being received.

4. PSE&G – Vegetation Management.

Manager Broughton informed Council of the communication received by the Manager of PSE&G confirming the services that the company provides.

5. Update – Council-Directed Items.

In response to questions from Council, Manager Broughton advised that he has not heard back yet from the current cell tower vendor, and the RFP for outside engineering services is pending. Council requested an update regarding the RFP at the next meeting.

TOWNSHIP ATTORNEY'S REPORT

None.

ADJOURNMENT

D.M. Gussen moved to adjourn at 10:39 p.m. Seconded by Councilmember Stern and carried by the following vote:

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

Opposed: None.

Absent: C. Schwartz.

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

JAIME L. EVELINA, RMC
Township Clerk