

MINUTES OF THE OPEN SESSION MEETING OF
THE TEANECK TOWNSHIP COUNCIL
HELD IN THE MUNICIPAL BUILDING CHAMBERS
TUESDAY, AUGUST 14, 2012

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution 28-12, setting the 2012 meeting dates; and Resolution 150-12, ratifying Resolution 28-12, 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 Deputy Mayor hereby directs that this statement be included in the minutes.

ROLL CALL

MOTION TO GO INTO CLOSED SESSION

The Clerk read the resolution authorizing the Council to enter into Closed Session.

Having adopted Resolution #177-12, DM. Gussen made a motion to close the meeting to the public to discuss matters concerning Advisory Board Interviews; Township Property Purchase Easement; and Litigation. Seconded by C. Stern and carried by the following vote:

In Favor: C. Katz (arrived at 7:22 p.m.), C. Pruitt, C. Schwartz, C. Stern, DM. Gussen.

Opposed: None.

Absent: C. Parker, Mayor Hameeduddin.

CLOSED SESSION DISCUSSION

MOTION TO RETURN TO OPEN SESSION

DM. Gussen called the Open Session Meeting of the Teaneck Township Council to order at 8:07 p.m. and asked all present to rise for the Pledge of Allegiance.

Present: C. Katz, C. Pruitt, C. Schwartz, C. Stern, DM. Gussen.

Absent: C. Parker, Mayor Hameeduddin.

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

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PRESENTATIONS

1. Certificate of Recognition – John Goetz – “Woman Rescued After Car Plunges Into Hackensack River” (Teaneck Patch). DM. Gussen presented a certificate of appreciation to Mr. John Goetz.
2. Oath of Office – Fire Captain Paratore as Provisional Battalion Chief. Manager Broughton read into the record a biography regarding Battalion Chief Paratore.

3. Environmental Advisory Board Respecting Votee Park – Presentation by Kenneth Hoffman. See attached. Council discussed. Township Attorney Turitz advised Council to make a decision regarding the Board’s recommendations with respect to contracts. Majority of Council was in favor.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Ms. Evelina read the following Ordinance by title only:

ORDINANCE NO. 4263 – AN ORDINANCE AUTHORIZING THE ACQUISITION OF A SANITARY SEWER EASEMENT WITHIN A PORTION OF BLOCK 2011, LOT 13, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF TEANECK, LOCATED AT 264 OGDEN AVENUE IN THE TOWNSHIP OF TEANECK.

ORDINANCE NO. 4265 – AN ORDINANCE AUTHORIZING THE RESURFACING OF GLENWOOD AVENUE, SECTION 2, FROM EAST OAKDENE AVENUE TO LINDBERGH BOULEVARD AS A GENERAL IMPROVEMENT AND APPROPRIATING \$146,500.00 TO BE ENTIRELY FUNDED BY A GRANT UNDER THE NEW JERSEY TRANSPORTATION TRUST FUND AUTHORITY ACT FOR FISCAL YEAR 2012.

ORDINANCE NO. 4266 - AN ORDINANCE AMENDING CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE.

ORDINANCE NO. 4267 - BOND ORDINANCE TO AUTHORIZE THE 2012 ROAD AND MUNICIPAL PARKING LOT RESURFACING AND SIDEWALK AND CURB IMPROVEMENT PROGRAM IN, BY AND FOR THE TOWNSHIP OF TEANECK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,987,000 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.

ORDINANCE NO. 4268 - AN ORDINANCE AMENDING CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE.

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

None.

DM. Gussen declared that the public hearings on the above ordinances were now open. Any members of the public wishing to be heard on any of said ordinances 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.

Dr. Alex Rashin, Teaneck - spoke on Ordinance 4267; inquired why costs have increased since last year; recommended Council give priority to paving specific streets rather than parking lots.

Howard Rose, Teaneck – spoke on Ordinance 4267 and inquired about the cost equation in respect to ‘patch vs. pave’.

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

DM. Gussen asked Manager Broughton to provide an explanation in response to earlier comments raised regarding Ordinance 4267; Mr. Broughton advised that the Township Engineer and Consulting Engineer conduct evaluations of the Township roadways.

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DM. Gussen moved to pass Ordinances 4263, 4265, 4266, 4267, and 4268 on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by C. Stern.

DM. Gussen inquired whether any member of the Council had any comments respecting these ordinances.

C. Schwartz spoke on pavement and inquired about a timeline; Manager Broughton advised on associated costs and spoke of specifics.

C. Pruitt inquired whether an asphalt roadway, with concrete underneath, would have to be replaced with concrete when repaved; Manager Broughton gave a detailed explanation as to how a situation such as this would be handled.

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

Roll Call.

In Favor: C. Pruitt, C. Schwartz, C. Stern, DM. Gussen.

Opposed: None.

Absent: C. Parker, Mayor Hameeduddin.

Abstained: C. Katz (Ordinance 4266).

DM. Gussen declared that said ordinances were duly adopted.

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

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

None.

DM. Gussen 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.

Angela Taylor, Teaneck – spoke on the Historic Burial Ground signage; spoke on her credentials; and thanked Dee Ann Ipp for all her research and input.

Dee Ann Ipp, Teaneck – spoke on the Historic Burial Ground; her discovery and research; clarified statements from a recently published article and provided corrections to the misinformation.

Howard Rose, Teaneck – spoke on an earlier power-point presentation with respect to Votee Park and requested clarification from Council on artificial turf/top soil; congratulated all who worked on the Burial Ground sign, but questioned the cost being too high and asked why the sign could not have been made with the Township's sign machine.

Senator Loretta Weinberg, Resident of Fort Lee/Former Resident of Teaneck – thanked C. Katz for his presence and representing the Township at the New Bridge Landing meeting; thanked C. Stern and Mayor Hameeduddin on a recently-published article; spoke on recent letter of request sent to Mayor, Council and Manager regarding the four/five day work week which never produced a response; made reference to an OPRA Request which she sent to the Township Clerk wherein she requested “*any and all*” minutes when the four-day work week was discussed, along with ordinances or resolutions; referenced the response received by the Township Clerk, indicating that research would have to be conducted due to the lack of specificity in the request which is not required by the Act; referenced a second response from the Township Clerk wherein the Clerk offered to accommodate her by conducting said research; referenced the documents

produced by the Township Clerk in response to her request for researched documents; spoke of the Township Clerk being very responsive; read a part of Ordinance 4187 and noted amending Personnel Policy, Appendix IV and V.

Art Vatsky, Teaneck – noted to Council the great response from the Police Department and Teaneck Volunteer Ambulance Corps. after a recent accident at the corner of Garrison Avenue; stated how proud he was of Teaneck’s resources; opposed to emergency vehicles leaving their vehicles idling, will speak to the Police Chief on this matter; questioned Council as to why there is not a building for use in the repair of Township trucks, noted “we have one for salt”; inquired whether asphalt could be recycled; questioned why there was no discussion prior to the four-day work week.

Charles Powers, Teaneck – requested Council table 183-12 until more information is sought.

Rosiland McLean, AFCSME President, Township employee – spoke in favor of the four-day work week and noted the building’s early opening and late night services provided to residents are in fact an asset; indicated that employees work through their lunches, affording consistent service to residents; asked Council to have this matter put to rest.

Kathleen Mazaconni, AFCSME Union Attorney – spoke in favor of the four-day work week and noted the expanded hours during the week; noted the reduction in employees’ sick time and working through lunches was a benefit to the residents.

Dr. Alex Rashin, Teaneck – discussed the bid process for the Municipal Building Improvement Project; expressed his dissatisfaction with Arcari Iovino as contractors.

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

DM. Gussen 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.

C. Katz addressed Senator Weinberg’s question regarding the four-day work week; gave a detailed explanation as to the process of its implementation; stated that the Township operating on a four-day work week is for the benefit of the residents; went on to say that the extended hours per day was, in fact, a positive move; indicated there were minimal complaints regarding the four-day workweek; feels that Council should put this topic to rest; referred to the sign for the Burial Ground, thanking M. Ipp for all of her tireless effort regarding this project.

S. Turitz discussed the conservation easement for the Burial Ground.

C. Pruitt thanked Angela Taylor and Dee Ann Ipp for their dedication to the Burial Ground; spoke about the four-day work week indicating there are advantages and disadvantages regarding this topic; suggested revisiting this subject.

C. Stern spoke about the four-day work week indicating that according to the ordinance, the Township Manager is the person who sets the hours and days of operation for the Township.

Mr. Broughton also discussed the four-day work week and the process by which it came about; also stated how this program has been an asset to the Township residents and employees.

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.

MINUTES

July 24, 2012 – Closed Session Meeting (Approved for Content Only).

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July 24, 2012 – Open Session Meeting.

July 30, 2012 – Closed Session Meeting (Approved for Content Only).

July 30, 2012 – Special Meeting.

RESOLUTIONS

- 178-12. Refund 2011 Taxes Pursuant to State Tax Court Decision – CFO – Block 1803, Lot 43.01
- 179-12. Authorize Extension of Due Date for Third Quarter Taxes to August 27, 2012 – CFO.
- 180-12. Authorize Payment for 2012 Taxes Due to 2011 Tax Overpayments – CFO – Block 5002, Lot 21.
- 181-12. Authorize Termination of Performance Guarantee – Teaneck Mikvah Association.
- 182-12. Reject & Re-advertise Bids – Fire Department Headquarters Emergency – Vehicle Traffic Control Signal System.
- 183-12. Restate Revised Agreement – Arcari Iovino Architects, PC – Municipal Complex.
- 184-12. Appoint Representative to Open Space Trust Fund Municipal Program Regional Subcommittee.
- 185-12. Appoint Representatives to Community Development Regional Committee.
- 186-12. Authorize Submission of County Trust Fund Grant Application – Phelps Park Fitness Center.
- 187-12. Authorize Submission of County Trust Fund Grant Application – Bernard E. Brooks Fitness Center.
- 188-12. Authorize Submission of County Trust Fund Grant Application – Ammann Park Fitness Center.
- 189-12. Authorize Submission of Teaneck Municipal Alliance Against Substance Abuse Grant.
- 190-12. Authorize Municipal Consent – DARE of NJ, Inc. – Carnival.
- 191-12. Authorize Municipal Snow Plowing Agreement with County of Bergen – 2012 to 2014.
- 192-12. Approve Injured-On-Duty Leave – Captain Paul C. Kearns, Jr.

RAFFLES

All subject to approval and conditions applicable with the Legalized Games of Chance Control Commission and pursuant to State Statute.

RA #1335 – DARE New Jersey, Inc. – Carnival - \$180.00

RA #1336 – Christ Episcopal Church – Off Premise Raffle Awarding Merchandise - \$20.00

BILL LIST

Ms. Evelina read the amount of the Bill List into the record (\$ 5,556,006.69).

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. Seconded by Councilmember Pruitt.

DM Gussen called on Ms. Evelina for a roll-call vote.

Roll Call.

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

Opposed: None.

Absent: C. Parker, Mayor Hameeduddin.

Abstained: C. Katz (Bill List).

Recused: None.

DM. Gussen declared said items were passed.

INTRODUCTION OF ORDINANCES

DM. Gussen 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.

Ms. Evelina read the Ordinances by title only.

ORDINANCE NO. 4269 – AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 2-67 OF ARTICLE XI OF CHAPTER 2 AND SECTION 2-77 OF ARTICLE XIII OF CHAPTER 2 OF THE CODE OF THE TOWNSHIP OF TEANECK ESTABLISHING A RESIDENCY PREFERENCE FOR THE APPOINTMENT OF FIRE FIGHTERS AND POLICE OFFICERS.

ORDINANCE NO. 4270 - BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF EMERGENCY GENERATORS IN, BY AND FOR THE TOWNSHIP OF TEANECK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 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.

Seconded by C. Stern.

DM. Gussen inquired as to whether any Councilmember wished to comment upon the motion to introduce.

C. Pruitt commented on Ordinance 4269 questioning whether or not there was a history regarding this ordinance.

Manager Broughton explained the residency requirement, indicating that residents will be chosen first, based on the ordinance; also stated that this ordinance will not affect present personnel, only new hires.

S. Turitz explained that based on Civil Service Laws, no one can be restricted from taking the test; priorities can be created to award positions.

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

Roll Call.

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

Opposed: None.

Absent: C. Parker, Mayor Hammeeduddin.

Abstained: None.

Recused: None.

DM. Gussen declared that said ordinances were duly introduced and passed on first reading.

OLD BUSINESS

1. Historic Designation of Red Oak Tree at 339 Cedar Lane – Clerk’s Update.

Ms. Evelina informed Council regarding the Status of the designation of the Red Oak Tree as a historic site; indicated that the Planning Board felt they did not feel the need to supply

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recommendations and the property owner had not responded at that point; requested Council's direction to relist.

Council requested that Ms. Evelina reach out to the property owner; after doing so, she will be instructed as to how to move forward.

MISCELLANEOUS

NONE.

NEW BUSINESS

1. Council Seating Order.
2. Council Liaison Appointments.
3. Council Representative Appointments – Community Regional Development Committee.
4. Advisory Board Chairpersons' Recommendations – 2013 Appointments.

DM. Gussen recommended holding all New Business items until Council has a full complement.

C. Katz proposed nominating Art Vatsky and Ken Goffstein to the Teterboro Airport Noise Abatement Action Committee.

C. Stern requested the Clerk prepare a resolution regarding this matter.

Council concurred.

COMMUNICATIONS

1. Parking Petition – Riverview Avenue.

S. Turitz suggested this item be listed for an up-coming, Closed Session meeting prior to public discussion.

Council concurred and instructed Ms. Evelina to list it on the up-coming Closed Session Agenda.

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Stern reported on the CLMG having a meeting on bus shelters and informed all present of the outcome, indicating that no one was in favor of a shelter in front of Rockland's.

C. Katz gave information on the Township garage sale that had taken place on the previous Sunday.

Council discussed this topic indicating that it was a success thanks to Mr. Broughton and Issa Abbasi.

C. Katz requested that the Township conduct this event again in that it was a huge success.

Council requested that the Manager research the possibility of having the Township garage sale two or three times per year.

Mr. Broughton commended C. Katz for the idea; also commended Issa Abbasi on his tireless effort and contribution regarding this project.

C. Katz discussed the sidewalk assessment program; indicated that in the past, the Township assisted residents in obtaining a less expensive bid to complete the work; feels that the program was a success in the past, but it must be addressed immediately so the residents are not fined for non-compliance.

The Manager gave an in-depth explanation as to how the process had been addressed in the past.

Council, the Manager and the Township Attorney discussed the sidewalk assessment program, at length.

DM. Gussen requested that the Council-Listed Items proposed by Mayor Hameeduddin be relisted on the up-coming agenda.

COUNCIL-LISTED ITEMS

1. "Website Review Stats and Social Media" – M. Hameeduddin.
2. "Mercedes/Somerset Storm Drain Review" – M. Hameeduddin.
3. "Paving of Glenwood Avenue" – M. Hameeduddin.
4. "Emergency Management Communication" – M. Hameeduddin.
5. "Teaneckopoly" – M. Hameeduddin.
6. "Teaneck Barber Shop Hours" – C. Katz.

C. Katz discussed making Teaneck more "user friendly" by revisiting the ordinances regarding hours of operation for barber shops.

S. Turitz indicated that historically, there were regulations regarding hours of operation; he will research the information and provide the updated information to Council prior to preparing a new ordinance.

7. "Cedar Lane Management Group" – C. Stern.

C. Stern requested that Council have the Township attorney rewrite the ordinance in order to have an additional resident, or an at-large resident added to this board.

8. "PSE&G Communications" – C. Schwartz.

Thanked Mr. Broughton for his diligence regarding this matter; he indicated that if an emergency situation arises, immediate notification should be sent to the residents.

9. "Audio Ban in Township Parks" – C. Schwartz.

C. Schwartz stated that Phelps Park has been the scene of a very loud summer; cars parked on lawns, extremely loud music which goes on for hours; would like to discuss preparing an ordinance which would prevent the use of any amplification systems in any parks, with the exception of Votee Park, unless the event is a Township-organized event.

Council and the Township Attorney discussed the issue and suggested obtaining information from the PPRAB regarding this matter.

10. "Mass Mailings to Residents" – C. Schwartz.

C. Schwartz informed Council that he wished to pass on this subject at this time.

TOWNSHIP MANAGER'S REPORT

1. I have provisionally appointed Calvin L. King to the position of Part Time Plumbing Inspector in the Building Department, effective August 1, 2012.

2. Auxiliary Police.

The Manager stated that through ordinance, the Township is allowed 25 Auxiliary Police Officers, at this time they employ only 13; there are no candidates at this time; indicated that the next class begins in September.

Council suggested the Manager do a Press Release; asked for the information to be placed on the sign board.

3. Burial Ground Sign.

Discussed at the beginning of the meeting.

4. Phelps Park Dog Run.

The Manager discussed the preliminary cost estimate for the dog run, giving a full explanation of his findings; feels it is important to create the proper image; will look for ways to cut costs as well as locating funding.

TOWNSHIP ATTORNEY'S REPORT

Covered in Closed Session.

ADJOURNMENT

Councilmember Katz moved to adjourn at 10:29 p.m.

Seconded by Councilmember Stern.

Roll Call.

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

Opposed: None.

Absent: C. Parker, Mayor Hameeduddin.

Abstained: None.

Recused: None.