

MINUTES OF THE OPEN SESSION MEETING OF
THE TEANECK TOWNSHIP COUNCIL
HELD IN THE MUNICIPAL BUILDING COUNCIL CHAMBERS ON
TUESDAY, JANUARY 12, 2010

Mayor Feit called the Open Session Meeting of the Teaneck Township Council to order at 8:04 p.m., after the conclusion of the Closed Session, and asked all those present to rise for the Pledge of Allegiance.

ROLL CALL

Present: C. Gussen, C. Hameeduddin, DM. Parker (arrived at 8:05 p.m.), C. Honis, C. Katz, C. Toffler, Mayor Feit.

Absent: None.

Also Present: S. Turitz - Ferrara, Turitz, Harraka, & Goldberg, Esqs; W. Broughton, Municipal Manager; L. Aportela-Hernandez, Municipal Clerk; C. Loschiavo, Clerk Typist.

MAYOR'S ANNOUNCEMENT

Adequate notice of this meeting has been provided by Resolution 322-09, setting the 2010 meeting dates sending a copy to THE RECORD, THE SUBURBANITE, THE BERGEN NEWS/SUN BULLETIN, THE JEWISH STANDARD, and THE COUNTY SEAT, 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.

PRESENTATIONS

Police Lieutenant Kenneth Croonquist - 25 year anniversary watch.

Lt. Croonquist did not appear for the presentation.

PUBLIC HEARINGS AND ADOPTION OF ORDINANCES

Clerk to read the Ordinances by title only.

ORDINANCE #4169 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 33, "DEVELOPMENT REGULATIONS" OF THE TOWNSHIP CODE AND SPECIFICALLY SECTION 33-28 "OFF-STREET PARKING; LOADING AND UNLOADING".

ORDINANCE #4173 - AN ORDINANCE AMENDING CHAPTER 36, ENTITLED "TRAFFIC" OF THE TOWNSHIP CODE. (Establishes a prohibited parking restriction on a portion of Sanford Street on Tuesdays between 2am and 8am).

Mayor to inquire whether any member of the Council has any comments respecting these ordinances prior to opening the public hearing.

C. Gussen advised that the current zoning ordinance was overly restrictive with respect to parking for medical facilities.

Mayor to declare that the public hearings on the above ordinances are 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.

No one came forward.

There being no further persons wishing to speak concerning said ordinances, the Mayor to declare that the public hearings on these ordinances are now closed.

Councilmember Katz made a motion to pass Ordinance #s 4169 and 4173 on second and final reading and adopt. The Township Clerk is hereby authorized and directed to advertise same according to law. Seconded by Councilmember Honis.

Mayor to inquire whether any member of the Council has any comments respecting these ordinances.

No one had any comments.

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

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

Opposed: None.

Absent: None.

Mayor to declared that said ordinances are duly adopted.

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

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

No one had any comments.

Mayor Feit declared that any members of the public who wished to be heard come forward and state their names and addresses for the record. Comments were limited to five minutes per person.

April Serfass - 909 River Road - Thanked Council for the decal parking program which seems to be going smoothly and improved the quality of life for the residents in the area.

Mitchell Gluck - Bennett Road - stated there is no need to hire an assistant and deputy manager as the tasks will overlap, to stop the discussion on grass clippings, recommended an ordinance

requiring that the budget be prepared by December 15th, and questioned why the library doesn't issue cards on Sundays.

Joan Davis - 976 Alpine Drive - said that hiring outside the chain of command confuses employees, wanted funding clarification on the Ward Plaza resolution, asked why restrictions are placed on the sale of the property on Manhattan Avenue, but not the property on Route 4, and urged Council to use local banks.

Howard Rose - 575 Northumberland Road - explained how Teaneck is walkable, but Cedar Lane and Garrison Avenue is plagued with jaywalking and illegal U-turns every 1/2 hour; the budget presentation was understandable and readable, and Council needs to look out for the little guy in reviewing rent control.

Charles Powers - 1374 Academy Lane - discussed the poll workers that were fired in May 2008, the public presentation on the budget needs to be done earlier, Council needs to protect employees, preserve services, and respect one another.

Gwen Acree - 101 Stuyvesant Road - dogs are taking over the parks in the northeast, more policing is required, asked for another presentation on the status of the Ward Plaza project and its potential impact on residents, and asked why is money being spent on a lightning detection system.

Alan Sohn - 752 Cottage Place - compared the Board of Education budget presentation and the Municipal Budget, requested to change to a fiscal year budget, complained about the Township website.

Tanya Thompson - 181 Tryon Avenue - discussed traffic concerns, the temporary placement of a speed monitor, and requested what permanent solutions will be enacted to this situation.

There having been no further persons who wished to speak, Mayor Feit declared that the public comment portion of the meeting was now closed.

C. Toffler commended Ms. Serfass as an example of perseverance and requested a status on a permanent solution with the traffic problems at Tryon Avenue.

Mr. Broughton responded that the police are still gathering data on the site and are continuing with their enforcement; upon completion of the review, he will contact Ms. Thompson.

DM. Parker requested Mr. Broughton and Mr. Turitz to look into the process of changing the budget year along with any drawbacks, explained that input is sought from the Planning Board and Environmental Commission before any Township property is sold, lightning detectors save lives, Council authorized a human resources employee and only an executive assistant at this time, and requested the Clerk to send a letter to the Board of Elections for an update on the poll workers' request for a hearing.

C. Gussen discussed the benefits of a lightning detection system.

DM. Parker requested a public presentation for Ward Plaza residents.

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 #1262 - Paramus Catholic High School - On Premise Raffle Awarding Merchandise - \$20.00.
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MINUTES

November 9, 2009 - Open Session
November 23, 2009 - Open Session.
December 7, 2009 - Open Session.
December 15, 2009 - Open Session.

RESOLUTIONS

2-10. Authorize Issuance of Purchase Order - GPC, Inc. - Abatement Work on Asbestos Pipe Insulation.
3-10. Award Contract - Jenicar Builders Contractors Company, Inc. - Ward Plaza Streetscaping Improvement Project.
4-10. Authorize Public Sale at Auction - Block 5604.01, Lot 23.
5-10. Authorize Public Sale at Auction - Block 4102, Lot 27.
6-10. Accept Two-Year Renewal Plan - Spectera, Inc. - Voluntary Vision Plan Coverage.
7-10. Adopt Cash Management Plan.
8-10. Authorize Issuance of Purchase Order - Cargill Inc. - Rock Salt.
9-10. Authorize Tax Collector To Charge Additional Penalties on Tax Delinquencies.
10-10. Appoint Township Representative to the Bergen County Community Development
11-10. Authorize Settlement Agreement - Sinensky v. Township of Teaneck.

BILL LIST

The Clerk advised the public that there is no bill list.

C. Katz moved to approve the Consent Agenda, including Minutes, and Resolutions, and to dispense with the reading of same inasmuch as it has been posted on the bulletin board all day, except Resolution 12-10. Seconded by C. Toffler.

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

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

Opposed: None.

Absent: C. Honis.

Mayor Feit moved Resolution 12-10 - Adopt 2010 Temporary Budget, seconded by DM. Parker. The consensus of Council was to amend this resolution by removing any appropriations for capital improvements at this time since they were going to discuss capital improvements during the budget meetings.

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

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

Opposed: C. Honis.

Absent: None.

INTRODUCTION OF ORDINANCES

Mayor Feit moved the following Ordinances for introduction on first reading and directed the Clerk 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 ordinance, and on which said ordinance will be considered for final adoption. Seconded by DM. Parker.

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

DM. Parker explained that Council reached a consensus to lower the rate rents can be increased when the landlord pays for the heat by 1/2% and rent control is reviewed every September.

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

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

ORDINANCE #4174 - AN ORDINANCE AMENDING SECTION 2-31 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF THE TOWNSHIP OF TEANECK RELATING TO THE DUTIES OF THE TOWNSHIP CLERK.

ORDINANCE #4175 - AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 29C OF THE TOWNSHIP OF TEANECK, ENTITLED "RENT CONTROL"

Carried by the following vote:

In Favor: C. Gussen, C. Hameeduddin, DM. Parker, C. Honis, C. Katz (abstained - 4175), C. Toffler, Mayor Feit.

Opposed: None.

Absent: None.

Mayor to declared that said ordinances are duly introduced and passed on first reading.

MISCELLANEOUS

None.

OLD BUSINESS

1. POAB Chairperson.

C. Hameeduddin reported that no one on the board wished to assume the responsibilities held by the former chairperson. He stated that the former chairperson's duties with respect to organizing events will be assumed by the Manager.

2. Bergen Muni Banc.

Mr. Turitz explained that the problems described in the Record do not apply to Teaneck. The Muni Banc allows municipalities use of the County's credit line as a lease purchase agreement, as opposed to the required 5% down payment for bond ordinances.

3. Council Action Items.

DM. Parker explained that the purpose of the Council Action Items is to assist Council in keeping track of every item brought before them. C. Toffler stated that Council will review the list on a monthly basis at the first meeting of the month.

Council reviewed the outstanding items, requested that the Clerk update the list accordingly, and requested that Mr. Broughton and Mr. Turitz report on the pending issues at the February 9th Council meeting.

4. Hiring of Human Resource Officer.

C. Toffler requested an update on the status of hiring a human resource officer. Mr. Broughton explained that he received approximately 38 resumes and will form a committee of department heads to review and establish a criteria for selecting resumes to conduct interviews. He will report back to Council on any new developments.

5. Hiring of Executive Assistant.

Mr. Broughton reported that he is currently reviewing the 36 resumes he received for the position, should be starting interviews next week, and hopes to have the position filled by the end of January.

NEW BUSINESS

None.

COMMUNICATIONS

1. Request for Designation of Historic Sites - Historic Preservation Commission.

C. Katz mentioned that that owner of 658 Larch Avenue was adamantly against having his home designated as a historic site. C. Katz stated that he opposed this designation.

Council requested that Clerk contact the chairperson of the Historic Preservation Commission for copies of any responses or notices received from the homeowners for the Council to review before they authorize sending the recommendations to the Planning Board for their review.

2. Duties and Membership of HRGAB - Environmental Commission.

C. Honis reported that as the liaison of the Hackensack River Greenway Advisory Board, the board has a clear and defined path and that Norma Goetz serves as the representative of the Environmental Commission. Council determined not to take any further action and requested the Clerk to advise the chairperson of the Environmental Commission of their determination.

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Gussen - PPRAB - requested that the Manager provide a status of the resurfacing of the tennis court at Terhune Park and expressed concern regarding the foundation of the tennis court at Andreas Park. Mr. Broughton responded that he will review the matter with the Township Engineer.

DM. Parker - commented that there was a resolution in Council's packet from South Orange regarding a resolution for establishing a municipal fee for universities and requested that a similar resolution, which includes the initial actions taken by Teaneck on this matter be listed for the next consent agenda; requested that the Township take advantage of the appropriations request as outlined in the letter Council received from Congressman Rothman; requested that information regarding the YAB Youth Forum be posted on the Township website; and as liaison to the Library Board requested that Mr. Broughton meet with members of the Library Board regarding the Library's heating system.

C. Honis - FORUM - reported that the FORUM is continuing their programs and would like to incorporate a mentoring program.

COUNCIL-LISTED ITEMS

1. Manager's Report (C. Toffler).

C. Toffler requested to change the order of the agenda where the Manager's Report is listed before Good and Welfare. Mr. Turitz responded that to do so would require a change via ordinance. Council requested that this matter be discussed at the next meeting under Old Business.

2. Environmental Commission Liaison (C. Toffler).

C. Toffler reported that due to scheduling conflicts, she must step down as the liaison to the Environmental Commission and has notified the chairperson. C. Hameeduddin will be the Council liaison and a resolution appointing him as such will be listed for the next meeting.

3. Two Way traffic on Elm Street (DM. Parker).

Council reported that they received complaints from residents and businesses as to why they were not notified of the traffic pattern change and requested to reverse the entrance and exit at the adjoining municipal parking lot to improve the traffic pattern. Mr. Broughton advised that he will have the driveways changed.

4. Stop Sign on Frank Burr Blvd (DM. Parker).

DM. Parker advised that she experienced a close call while visiting at Heritage Point. She requested that the Manager have the police review the traffic pattern in the area.

5. Municipal Election (DM. Parker).

DM. Parker reported that the last few municipal elections have been contentious and that while there is a fair campaign practice pledge in the petition packet, she does not want any Councilmembers to take part of any illegal activity. Council concurred. The consensus of Council was to adopt a resolution establishing this policy and members were directed to send language for the resolution to Mr. Turitz for his preparation.

TOWNSHIP MANAGER'S REPORT

1. Fire Department Command Structure.

Mr. Broughton recommended changing the current Fire Department command structure to include 2 deputy chiefs and 4 battalion chiefs in an effort to stay within the overtime budget.

Mr. Turitz clarified that the philosophical and budgetary principals of this discussion are allowed in open session, but negotiations are a closed session item of discussion.

Chief Montgomery explained that a captain is in charge of a unit, the battalion chief has a greater scope of authority as platoon/tour commander, but does not have the authority of a deputy chief who assists in overseeing administration and operations and can fill-in for the chief in his absence. He reported that 90% of the overtime incurred since June 1st has been for filling in the position of tour commander. Chief Montgomery stated that to meet the requirements of an incident command system and to prevent any liability to the Township.

Mayor Feit stated that this change must be implemented due to the results of the desk audit.

Mr. Broughton reported that in the last 6 months, \$250,000 was spent on overtime for the Fire Department. Chief Montgomery confirmed that 85% of that cost occurred in the rank of captain to fill in for the supervisory position as tour commander and that the Fire Department submits an overtime report to the Manager every two weeks. C. Toffler requested to have that report forwarded to Council upon receipt by the Manager.

The consensus of the majority of the Council was to proceed with introducing an ordinance regarding the fire command structure outlined by Mr. Broughton at the next Council meeting.

TOWNSHIP ATTORNEY'S REPORT

None.

ADJOURNMENT

C. Katz moved to adjourn the Open Session Meeting at 10:46 p.m. Seconded by C. Honis.

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

Opposed: None.

Absent: None.