

MINUTES OF THE OPEN SESSION MEETING OF
THE TEANECK TOWNSHIP COUNCIL
HELD IN THE MUNICIPAL BUILDING COUNCIL CHAMBERS ON
TUESDAY, JANUARY 26, 2010

Mayor Feit called the Open Session Meeting of the Teaneck Township Council to order at 8:03 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, C. Honis, C. Toffler, Mayor Feit.

Absent: C. Katz.

Also Present: S. Turitz/W. Rupp - Ferrara, Turitz, Harraka, & Goldberg, Esqs; W. Broughton, Municipal Manager; J. Evelina, Senior 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.

PUBLIC HEARINGS AND ADOPTION OF ORDINANCES

Ms. Evelina read the Ordinances by title only 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"

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

Mayor Feit declared that the public hearings on the above ordinances were open. Any members of the public who wished to be heard on any of said ordinances or had questions concerning said ordinances came forward and stated their names and addresses for the record. Comments or questions were limited to five minutes per person.

Joan Davis - 976 Alpine Drive - discussed the various statutory requires that only the Clerk can fulfill, the ordinance will complicate the Clerk's role, the Clerk was never part of the Manager's department and with the two additional positions, it will cause confusion; spoke about treatment of tenants under rent control in New York, the rent control ordinance is not effective, is not used well, and residents are suffering in this economy.

Howard Rose - 575 Northumberland Road - compared the rent control rates with the 10% unemployment rate and 0% increase in Social Security benefits, requested Council to be forthright.

Sheldon Abronowitz - 1424 Lozier Place - stated that rents doubled over 16% for many years, no increase in Social Security benefits, it's a difficult time all over, heating costs have gone down the last couple of years, and people cannot afford to live in Teaneck.

There having been no further persons who wished to speak concerning said ordinances, Mayor Feit declared that the public hearings on these ordinances were closed.

Mayor Feit moved to pass Ordinance #s 4174 and 4175 on second and final reading and adopt same. The Council authorized Ms. Evelina to advertise same according to law. Seconded by DM. Parker.

Mayor Feit inquired whether or not any member of the Council had any comments respecting these ordinances.

Mayor Feit explained that rent control must be passed every October for the provision to remain in effect, this ordinance was to amend the ordinance to decrease the rate landlords may charge if they pay for heat. He also explained that the Clerk always works closely with the Manager and acknowledged the Clerk's statutory duties.

C. Toffler stated that Council should focus on lowering rent control to 2%.

C. Gussen explained that rent control needs to be understood by all for property owners and has the impact of millions of dollars of lost tax dollars; 90% of property owners are covering for this subsidy with is unfair to landlords.

Mayor Feit commented that the Tax Assessor should provide any information regarding the impact of rent control on property taxes. Mr. Broughton confirmed that he will address this issue with the Tax Assessor.

DM. Parker asked Mr. Rupp if the ordinance regarding the Clerk's duties takes away any authority of the Council. Mr. Rupp confirmed that the Clerk is the secretary to the Council, not the Manager.

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

In Favor: C. Gussen (Ord. 4174), C. Hameeduddin, DM. Parker, C. Honis, , C. Toffler, Mayor Feit.

Opposed: C. Gussen (Ord. 4175).

Absent: C. Katz.

Mayor Feit 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

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 at that time come forward and state their names and addresses for the record. Comments were limited to five minutes per person.

Dee Ann Ipp - Pomander Walk - spoke about the 3 houses recommended for historic designation and stated that commissions are more powerful than any other board.

Ted Volmar - Beverly Road - described and provided a petition signed by residents who are unhappy with changing the area to a 2-way street.

Brian Ali - Beverly Road - affected residents were not notified of the change which has increased traffic, stated that Council did not conduct a enough of a study on this, and children are in jeopardy.

Jack Demsueck - Pershing Circle - discussed the litter problem in the area and asked why the solar panel in Fire Station 3 was not operational.

Charles Powers - 1374 Academy Lane - asked if there was a response from the Board of Elections regarding the poll workers.

Howard Rose - 575 Northumberland Road - requested information on the availability of Council meetings.

Joan Davis - 976 Alpine Drive - with regards to resolutions: requested why Holy Name Hospital is not included in the municipal fee resolution, wanted to know what a public archive meant, questioned the annual accomplishment report, stated that she thinks Schwanewede/Hals cannot handle the Library project, believes the Township needs an in-house legal department and too much money is in the capital improvement budget.

There being no further persons who wished to speak at that time (or the time limit of one hour having expired), Mayor Feit declared that the public comment portion of the meeting was closed.

Mayor Feit 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 Feit explained that modifications to Beverly Road were made with input from the Teaneck Police Department and any safety concerns should be brought to the police department's attention; the solar panel issue needs to be revisited.

DM. Parker requested that the police check into additional signage in Beverly Road and responded that the Township has not received any response from the county regarding the poll workers.

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

January 13, 2010 - Budget Meeting (C. Katz - Absent).

RESOLUTIONS

- 14-10. Request Establishment of Municipal Service Fees to Be Paid by Students Attending Colleges and Universities with Said Municipalities.
- 15-10. Appoint Council Liaison to Environmental Commission.
- 16-10. Authorize Participation in PARIS 2010-11 Grant Cycle.
- 17-10. Appoint Public Agency Compliance Officer for 2010.
- 18-10. Authorize Submission of Annual Accomplishment Report.
- 19-10. Authorize Certification of TREE CITY USA Application.
- 20-10. Award Professional Services Contract - J. Dennis Kohler - Public Defender.
- 21-10. Appoint C-3 Licensed Operator - John Pampaloni, Jr.
- 22-10. Award Professional Services Contract - Schwanewede/Hals Engineering - Consulting Engineer - 2010.
- 23-10. Award Professional Services Contract - Genova, Burns, & Vernoia - Labor Counsel.
- 24-10. Authorize Transfers of 2009 Budget Accounts.
- 25-10. Ratify Payments - CFO - December 2009.
- 26-10. Refund Tax Overpayments - 2009 - Various.
- 27-10. Refund Tax Overpayment - 2009 - Block 5512, Lot 30.
- 28-10. Authorize Manager to Sign Any Necessary Documents in the Absence of the Township Clerk.
- 29-10. Award Professional Services Contract - McNerney & Associates - Tax Appeal Appraisal Services.
- 30-10. Authorize Appointment - Patriotic Observance Advisory Board.
- 31-10. Authorize Participation in the Rutgers Green Purchasing Cooperative Program.
- 32-10. Authorize Appointments - Advisory Board on Community Relations.

BILL LIST

Ms. Evelina read the amount of the Bill List into the record. (\$5,383,995.66)

C. Honis moved to approve the Consent Agenda, including Minutes, Resolutions, and Bill List, and to dispense with the reading of same inasmuch as it has been posted on the bulletin board all day. Seconded by C. Toffler. .

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

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

Opposed: DM. Parker (Bill List).

Absent: C. Katz,

Mayor Feit declared whether said items were passed.

INTRODUCTION OF ORDINANCES

C. Toffler moved that the following Ordinances be introduced and passed on first reading and authorized Ms. Evelina 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 titles of the following ordinances into the record:

ORDINANCE #4176 - AN ORDINANCE AMENDING ARTICLE III AND ARTICLE V OF CHAPTER 33, DEVELOPMENT REGULATIONS, OF THE CODE OF THE TOWNSHIP OF TEANECK, RESPECTING "OPEN HOUSE" SIGNS.

ORDINANCE #4177 - AN ORDINANCE AMENDING SECTION 16-9 OF ARTICLE III, FIRE DEPARTMENT, OF CHAPTER 16, FIRE PROTECTION, OF THE CODE OF THE TOWNSHIP OF TEANECK RESPECTING THE COMPOSITION OF THE UNIFORMED PERSONNEL OF THE FIRE DEPARTMENT OF THE TOWNSHIP OF TEANECK.

Seconded by C. Hameeduddin.

Mayor Feit inquired as to whether any Councilmember wished to comment upon the motion to introduce.

Council discussed the limitation on the amount of signs for Ordinance 4176, to not exceed 4 and decided to introduce the ordinance with the amendment.

C. Gussen recommended delaying the introduction of Ordinance 4177 until the municipal budget has been introduced. There was no consensus to the recommendation.

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

In Favor: C. Gussen (Ord. 4176), C. Hameeduddin, DM. Parker, C. Honis, C. Toffler, Mayor Feit.

Opposed: C. Gussen (Ord. 4177).

Absent: C. Katz.

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

MISCELLANEOUS

None.

OLD BUSINESS

1. Manager's Report on Agenda.

C. Toffler believes the Manager's Report should be moved before Good & Welfare in order to provide residents with the opportunity to make comments and to hear what is being reported instead of waiting for the end of the meeting.

C. Gussen stated the report should formally keep its place on the agenda and if there is any particular issue Council can always make a motion to have the Manager's Report discussed earlier.

There was no consensus to move forward.

2. HPC - Request for Designation of Historic Sites.

Council received the responses residents submitted to the Historic Preservation Commission and will hold this matter for discussion at the next Council meeting.

3. Municipal Election Resolution.

Mr. Rupp will review the draft resolution prepared by DM. Parker and it will be listed on the February 23rd Consent Agenda.

NEW BUSINESS

None.

COMMUNICATIONS

1. NJ Department of the Public Advocate - Request to Adopt Lead Poisoning Ordinance.

Council determined not to adopt such an ordinance at this time, but directed Mr. Broughton to report any incidents of lead poisoning to Council.

COMMITTEE REPORTS - COUNCIL LIAISONS

C. Toffler reported that the Board of Education is seeking ways to save money through shared services. Mr. Broughton advised that he met with Dr. Pruitt and discussed combining purchasing departments.

DM. Parker advised that the YAB Youth Forum is tomorrow between 7:30 pm and 9:00 pm at the Rodda Center and the board discussed assisting teens in obtaining community service credits. She reported that she cannot attend the meetings of the CLMG and requested if another Councilmember can attend the meetings. C. Hammeeduddin advised that he will attend the CLMG meetings.

C. Gussen reported that PPRAB was discussing the their role as a board.

COUNCIL-LISTED ITEMS

1. Commuter Parking (DM. Parker).

DM. Parker requested that the amount of spots set aside for commuter parking be reviewed by the Manager as there are more spots designated that are need.

TOWNSHIP MANAGER'S REPORT

1. Mr. Broughton reported that he has probationally appointed Victoria Suarez to the position of Police Officer with the Teaneck Police Department, effective January 25, 2010.

2. Website - Status.

Mr. Broughton reported that he will be meeting with Mr. McGilloway to review the website this Thursday and will report back to Council.

3. TCT - Request for Funding.

DM. Parker recused herself from the discussion and stepped down from the dais.

Mr. Broughton advised that the TCT has an event planned for February 8th and March 7th for a total of \$4445, but before he can appropriate the funds, he needs Council authorization to do so. Council authorized the expenditure.

C. Honis mentioned that Council requested a list of all 2010 events from the TCT. C. Gussen stated that Council has not received the requested list to date. Mr. Broughton advised that he will request the list on behalf of Council and advise.

DM. Paker returned to the dais.

TOWNSHIP ATTORNEY'S REPORT

None.

ADJOURNMENT

Mayor Feit moved to adjourn at 9:25 p.m.. Seconded by C. Gussen