# MINUTES OF A REGULAR MEETING OF THE TEANECK TOWNSHIP COUNCIL HELD IN THE MUNICIPAL BUILDING COUNCIL CHAMBERS ON WEDNESDAY, JUNE 11, 2008

Mayor Katz called the Regular Meeting of the Teaneck Township Council to order at 7:08 p.m., and asked all those present to rise for the Pledge of Allegiance.

#### **ROLL CALL**

Present: C. Feit, C. Kates, DM. Parker, C. Honis, C. Gussen, Mayor Katz.

Absent: C. Rudolph.

Also Present: S. Turitz - Ferrara, Turitz, Harraka & Goldberg, Esqs.; H. V. Fall, Municipal

Manager; L. Aportela-Hernandez, Acting Municipal Clerk; J. Hodges, Senior Clerk.

#### **MAYOR'S ANNOUNCEMENT**

Adequate notice of this meeting has been provided by adoption of Resolution #382-07, setting the 2008 meeting dates and the May 30, 2008 Sunshine Notice amending the 2008 meeting dates, sending a copy to THE RECORD, THE SUBURBANITE, THE BERGEN NEWS/SUN BULLETIN, THE CONNECTION, THE JEWISH STANDARD, THE COUNTY SEAT and THE COURIER TIMES, 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**

Mayor Katz presented Certificates of Appreciation for the 2008 Clean and Green T-Shirt Sponsors:

St. Mark's Episcopal Church

Congregation Rinat Yisrael

Ari Jacobson, Esq. And Family

Yael, Elnatan, Jordana and Howard Rudolph

Michael S. Samuel, Esq.

Genesis Pain Management - Dr. Asher Goldstein, MD

Bergen County Historical Society

The Jewish Standard

The Honis Family

Congregation Netivot Shalom

Miriam R. Taub

The Original Barber Shop

Chopstix

Congregation Beth Aaron's Men's Club

Garb Network Consultants

Ruthie Levi and Bob Carroll

Jackie and Michael Kates

Teaneck Creek Conservancy

Molly Gussen

St. Anastasia's Church

Emily Anne Fall

Garden Cub of Teaneck

Madison Dental Group, PC

and the 2008 Clean and Green Business Pledge Partners:

Julio's Fruit Boutique Natural Spot Mayor Katz, Dr. Pruitt, President of the Board of Education, and Joey Bodner, Planning Board Chair, presented Renee Karibi-Whyte with a Certificate of Appreciation for the work that she had done while sitting on the Planning Board on the occasion of her resignations. C. Kates, C. Honis, DM. Parker, and C. Gussen all said kind words about Ms. Whyte.

### **INTRODUCTION OF ORDINANCES**

C. Feit made a motion to introduce the following Ordinance and setting Tuesday, June 24, 2008 at 8:00 PM, or as soon thereafter as the matter may be reached as the date and time and Municipal Building Council Chambers as the place for a hearing on said Ordinances. Seconded by Mayor Katz.

ORDINANCE # 4081 - AN ORDINANCE TO AMEND CHAPTER 27 OF THE CODE OF THE TOWNSHIP OF TEANECK, TEANECK, NEW JERSEY ENTITLED PARKS AND PLAYGROUNDS.

Carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

### PUBLIC INPUT ON RESOLUTIONS ON THIS AGENDA

Joan Davis - 976 Alpine Drive - Spoke about Resolutions 222-08 and 198-08.

Naomi Cramer - 623 Maitland Avenue - Spoke about Open Space. Asked what the Trust Fund is for and if it is being properly used. Spoke about Resolution 222-08 and the brick on the Police Building. Concerned that the new contract meets the requirements of State law with respect to bonds.

Eric Brauer - 738 River Road - Spoke about the MOST resolution and input the Council received from various Boards requesting some changes in the wording. Would like to see Council table the resolution for further discussion.

C. Kates made a motion to close Public Input on Resolutions and Old Business on this agenda. Seconded by Mayor Katz and carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

Mrs. Fall explained to Ms. Davis that Resolution 198-08 purpose it to have guidelines for the staff and that they will be posted for visitor awareness so the public is aware of our commitment to customer service. Mrs. Fall informed everyone that Resolution 222-08 is to amend the contract for the architect who prepared the specifications for the PHQ renovation project; all contracts are drafted in conformance with the Local Public Contracts Law and the Local Public Bidding Law.

# **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.

DM. Parker made a motion to approve the Consent Agenda, except Resolution K, and dispense with the reading in as much as it has been posted on the bulletin all day. Seconded by Mayor Katz.

C. Kates is sorry that it has taken so long for the implementation of the phone system and the renovations to the Teaneck Police Department but is happy that we are moving forward with the two projects.

#### **MINUTES**

- May 6, 2008 Closed Session (Approved for content only).
- May 27, 2008 Closed Session (Approved for content only).
- May 27, 2008 Regular Meeting.

#### RESOLUTIONS

- 189-08. Adopt Bylaws of the Teaneck Municipal Alliance Against Substance Abuse.
- 190-08. Authorize Tax Collector to Prepare and Issue Estimated Tax Bills Third Installment of 2008 Taxes.
- 191-08. Authorize Encroachment Into the Public Right-of-Way 5 Argonne Court.
- 192-08. Appoint Advisory Board Member Barbara Waldman Patriotic Observance Advisory Board.
- 193-08. Appoint Advisory Board Member Dr. Vadiraja Murthy Advisory Board on Community Relations.
- 194-08. Appoint Advisory Board Member Dr. Vadiraja Murthy Senior Citizens Advisory Board.
- 195-08. Amend 2008 Council Meeting Schedule July 8, 2008.
- 196-08. Authorize Submission of NJDOT 2009 Safe Routes to Transit Application.
- 197-08. Support the Historic New Bridge Landing Park Commission.
- 198-08. Adopt Customer Service Policy.
- 199-08. Ratify Wire Transfer Investments- CFO May 2008.
- 200-08. Ratify Payments CFO May 2008.
- 201-08. Authorize Renewal Retail Consumption Liquor License Yun-A Corp / G&G Liquors and Bar.
- 202-08. Authorize Renewal Retail Consumption Liquor License Swilly. Inc / The Cottage Bar.
- 203-08. Authorize Renewal Retail Distribution Liquor License Cedar Lane Liquors, Inc. / Cedar Lane Liquor Inc.
- 204-08. Authorize Renewal Retail Consumption Liquor License E.T.D., Inc. / Vinny O's.
- 205-08. Authorize Renewal Retail Consumption Liquor License Glenpointe Assoc. and Marriott Services, Inc. / Marriott at Glenpointe.
- 206-08. Authorize Renewal Retail Distribution Liquor License Queen Anne Wine Exchange, Inc. / Queen Anne Wine and Spirit Emporium.
- 207-08. Authorize Renewal Retail Distribution Liquor License Teaneck Wine Cellar, Inc. / Teaneck Wine Cellar Inc.
- 208-08. Authorize Renewal Retail Distribution Liquor License Kalig Corporation / Enterprise Liquors.
- 209-08. Authorize Renewal Retail Consumption Liquor License with Broad Package Privilege Peter Dino Inc. / Louie's Charcoal Pit.
- 210-08. Authorize Renewal Retail Distribution Liquor License Bok Jo Ree Corp. / Julio's Fruit Boutique
- 211-08. Authorize Renewal Retail Consumption Liquor License Jyce, LLC. / Victoria's Cafe
- 212-08. Authorize Renewal Retail Consumption Liquor License AHK Corporation / Duomo Restaurant.
- 213-08. Authorize Renewal Retail Consumption Liquor License Diamondine Enterprises, Inc. / Amarone Ristorante.
- 214-08. Authorize Renewal Retail Distribution Liquor License GNV Liquor, Inc. / Teaneck Liquor.
- 215-08. Authorize Renewal Retail Distribution Liquor License New Gerdes Deli, Inc. / New Gerdes Deli.
- 216-08. Authorize Renewal Retail Consumption Liquor License Teaneck West Reality, Inc. / East Japanese Restaurant.
- 217-08. Authorize Renewal Club Liquor License American Legion Post 128 of Teaneck.
- 218-08. Authorize Renewal Retail Distribution Liquor License Ma'adan Take Home Foods Inc. / Ma'adan.
- 219-08. Authorize Renewal Retail Consumption Liquor License Queen Anne Road Restaurant, LLC / Mexicali Blues Cafe.
- 220-08. Authorize Renewal Retail Consumption Liquor License Hiro of Teaneck, LLC. / Bistro En and Hiros Express.
- 221-08. Award State Contract Telephone System.
- 222-08. Amend Professional Service Contract Morpurgo Architects Design of and Construction Administration of Police Headquarters.
- 223-08. Authorize Renewal Club Liquor License Loyal Order of Moose Teaneck Lodge No. 961 / Loyal Order of Moose Teaneck Lodge 961.
- 224-08. Authorize Renewal Club Liquor License Teaneck Bogota Columbian Club / Knights of Columbus.

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225-08. Authorize Renewal - Retail Distribution Liquor License - River Edge W & L, Inc. / Teaneck Quick Shop Convenience & Deli.

226-08. Authorize Renewal - Retail Distribution Liquor License - H & R Liquors & Wine, Inc.

227-08. Authorize Submission of Application - New Jersey Department of Consumer Affairs Recreation Opportunities for Individuals with Disabilities Grant.

228-08. Appoint Municipal Representatives - Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee and Charles McKearnin.

229-08. Authorize Submission of 2008 Bergen County Open Space Trust Fund Application - Argonne Park/ Votee Park Improvements.

230-08. Authorize Renewal - Retail Consumption Liquor License - E A V, Inc. / Vitales Restaurant.

231-08. Authorize Renewal - Retail Consumption Liquor License - Teaneck Liquor License, LLC / Regina's.

232-08. Award Contract - Pitney Bowes - Upgraded Mailing System.

233-08. Amend 2008 Council Meeting Schedule - Change Time - Closed Session - June 24, 2008.

234-08. Grant Approval to Summit Drilling Co. To Install Monitoring Wells in the PROW of Terhune Street Subject to the Approval of the Township Engineer.

235-08. Authorize Plenary Retail Consumption License Transfer - Siblings Management to Karma, LLC.

# Carried by the following vote:

In Favor: C. Feit, C. Kates, DM. Parker, C. Honis (abstained Res. 18-08), C. Gussen,

Mayor Katz (abstained Res. 223-08).

Opposed: None.

Absent: C. Rudolph.

C. Gussen made a motion to discuss Resolution K - Authorize Submission of Referendum - Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund - November 2008. Seconded by Mayor Katz.

C. Gussen would like to send the proposed Resolution for review to the stake holder advisory boards. C. Gussen stands by his vote to spend the MOST dollars, but he thinks there is enough concern and reason on the wording to reshape it. C. Gussen inquired about the time frame that the Council has to pass the Resolution with adjusted wording.

Mr. Turitz informed C. Gussen there is enough time to wait for a response from the various boards because the Referendum question needs to be submitted to the County by August 1, 2008.

C. Gussen would like to send out to the corresponding boards for feedback. He would like to know, meeting wise, if there is enough time to do so.

Mrs. Fall explained that the first meeting in July is on the 8th and it is a Workshop Meeting and the second meeting on the 22nd is the Regular Meeting. Mrs. Fall will contact the PPRAB, Environmental Commission, MOST Advisory Board and Historic Preservation Commission and ask for a response by July 1st so it can be placed on the Workshop Meeting for discussion. Mr. Gussen asked if the resolution could be more restrictive with respect to how the funds are spend, what percentages for specific types of projects.

C. Gussen made a motion to table Resolution K and to send the Resolution draft to particular boards for discussion. Seconded by DM. Parker and carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

C. Kates had a concern about two of the Resolutions, 160-08 and 161-08, that were passed at the last meeting and considered changing her vote. She is leery about leasing through the Bergen Bank and legal issues with the BCIA. C. Kates is concerned about the Township's involvement. C. Kates wishes the minutes of that meeting to reflect her comments.

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Mr. Turitz informed C. Kates that these minutes can reflect her concern but the last meeting's minutes will not due to the fact that she said it today.

Mr. Turitz wanted to explain to C. Gussen that the wording on page 2 of the MOST Referendum Resolution cannot be changed pursuant to state law, some of the whereas statements can be changed.

C. Gussen wants to be able to earmark a portion of the money for particular purpose, i.e. land acquisition. C. Gussen asked if they had the authority to do so.

Mr. Turitz explained that Council does have the authority when they decide how to spend the money, but not in the Resolution authorizing the MOST tax. C. Gussen inquired about not being able to restrict themselves ahead of the game. Mr. Turitz will give it some thought and provide a further report.

Mrs. Fall clarified which specific boards Council wishes to have review and give feedback. C. Gussen wants to achieve having a better chance of passing by tweaking the wording. The Boards that will review will be: PPRAB, EC, MOST, HPC. Council concurred.

#### **BILL LIST**

C. Honis made a motion that the reading of the bill list be dispensed with inasmuch as it has been posted on the bulletin board all day and that it be authorized paid in the amount of \$ 3,575,879.00 when properly approved, sworn to and the money is available. Seconded by DM. Parker and carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

Abstained: Mayor Katz (# 0247425037910)

#### **GOOD AND WELFARE**

Asher Goldstein - 126 West Laurel Parkway - Spoke about Teaneck Clean and Green. Thanked Council for allowing the businesses that are not associated with certain groups within the Township to participate in the weekend. Feels a traffic study needs to be done on Windsor Road North, near State Street, putting dotted lines in and having drivers commit to which direction they are going can alleviate the traffic back up on State Street. The Plaza and Queen Anne Road can be confusing for both pedestrians and drivers, a traffic circle is a successful way to improve this area.

Kena Hiller - 366 W. Englewood Avenue - Asked about a plan for commuter parking.

Ronald Mays - 26 W. Englewood Avenue - Spoke about Unity Day and Teaneck coming together as one.

Steven Kaye - 95 Bennett Road - Spoke about his appreciation for Renee Karibi-Whyte and would like Council to do everything they can to assist PSE&G to make the needed repairs after last night's storm..

Frank Ramos - 1035 Eastlawn Drive - Thanked Council for what they do for the kids.

Ari Jacobson - 320 Churchill Road - Spoke about Clean and Green weekend and his sons wanting to go back again. Is distressed by previous comments made in regards to who has suffered more during the election.

Ken Egbert - PBA President - Talked about the Teaneck Police Department command structure with the impending retirements. Feels this issue should be addressed immediately and proactively.

Joan Davis - 976 Alpine Drive - Spoke about how there were important issues brought up tonight. Ms. Davis is concerned about the environment and is shocked by all the damages of trees. The Township should redirect its efforts from businesses to the environment; do things as a community to cut gas consumption.

Barbara Ley Toffler - Thanked residents that voted for her, wants "Team Teaneck" to apologize for their mailing, after "Team Teaneck" apologizes she wants C. Honis to address her comments made, and supports new leadership.

James Kinlock - 73 Shepard Avenue - Shepard Avenue is going to be paved and Mr. Kinlock would like to know where the residents will be able to park for those two days and if the town will be paying for the curbs and sidewalks.

Tasha Morton - Sherwood Avenue - Spoke about Council Elect Barbara Ley Toffler's comments about what she will do and also spoke about leadership.

Carter Jackson - 122 Hurliman Road - Asked Council for somebody to take time for the community to come together. Council needs to take leadership.

Ray Moore - 173 Bogert Street - Said that we all come here from different parts of the world. Spoke about integrity and Council being watched.

Laura Zucker - 62 Hillside Avenue - Spoke about racist literature and the election.

Joseph Bodner - 1410 Somerset Gate - Hurt by comments made by C. Honis. Even though they may not have been intentional she can apologize to the people it offended.

Howard Rose - 575 Northumberland Avenue - Stated that the u-turn sign in front of the post office is blocked by trees and wishes that Council would set up a Good and Welfare day where there could be a dialogue.

Henry Pruitt - 113 Vorhees Street - Stated that something is dividing the Jewish community and the black community. Someone around town is trying to destroy the unity.

Miriam Warberg - Briarcliffe Road - Is saddened by what is going on in the community; children deserve a peaceful environment.

Michael Puryear - 1698 Teaneck Road - Feels the things that are wrong came to the surface during the Municipal Election. Councilmembers should be leaders.

C. Kates made a motion to extend Good and Welfare an extra fifteen minutes. Seconded by DM. Parker and carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

Mr. Navder - Carlton Terrace - Spoke about the relationship between the blacks and the Jews and that it would be appropriate for C. Honis to offer an apology.

Alan Sohn - 752 Cottage Place - Spoke about working together to solve problem, the budget, economic and community relation issues, and the new Council in three weeks.

Naomi Cramer - 623 Maitland Avenue - Commented on the Teaneck Police Department contracts and the contractors guaranteeing their work. Thanked Renee Karibi-Whyte for all the work that she had done on the Planning Board.

Clara Williams - 21 Stuyvesant Road - Recently went to her high school reunion for Teaneck High School; the Teaneck High School alumni spoke about various aspects of Teaneck they felt they received during high school including, diversity, multiculturalism, and a multiethnic community. Ms. Williams feels the Township is regressing.

The following residents commented on the two poll workers, Albertha Shumpert and Pansy Grossman, being fired by Ms. DeBari of the Bergen County Board of election:

Albertha Shumpert - 61 Van Buskirk Road Ron Costello - 229 Shepard Avenue Mildred Tucker - 72 Shepard Avenue Barbara Ley Toffler - 1374 Academy Lane Gwen Acree - 101 Stuyvesant Road Charles Powers - Academy Lane Page 6 of 9 June 11, 2008 Regular Meeting Minutes Pansy Grossman - 132 Washington Place Sandy Brown - Bogert Street Nesette Charles - Van Buskirk Road Laura Zucker - 62 Hillside Avenue Diona Thomas - Rensselaer Road Comments included; a read letter to council from the poll workers, thanks to the Mayor for his letter to Ms. DeBari that was also submitted to the Suburbanite, statements of due process, issues with the challengers, demands of Council to reinstate, certain parties being involved in a nonpartisan election, and the reading of the names and addresses of the challengers during the election.

C. Feit made a motion to close the Good and Welfare portion of the meeting to the public. Seconded by C. Kates and carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

Mrs. Fall advised Dr. Goldstein that she will review his traffic concerns with staff, Mrs. Hiller that the Township has designated certain lots for commuter parking for residents only, Mr. Kinlock that the driveway apron and curb work is done with the road resurfacing to make sure the apron meets the road and that the residents will be inconvenienced for two days and recommends parking on neighboring streets. Mrs. Fall asked Mr. Rose which Post Office he was referring to and she will address the sign appropriately. Mrs. Fall explained to Ms. Cramer that it is required for the bidder to provide a performance bond and maintenance bond.

Mrs. Fall responded to Mr. Egbert saying that she was dismayed and disappointed by his comments. For the past two years she has had monthly meetings with the PBA/ SOA to address any comments and concerns that they may have had and these questions that he has brought forward today were not raised at the last meeting, a little over 2 weeks ago. He could have contacted her at any time. Mrs. Fall explained that there is a transition plan in place with the appropriate command staff.

C. Feit feels that sometimes we do need to hit bottom in order to rise up. He feels that Council differences on issues are very very minor. The new Council may be the opportunity the Township needs to change things around. We have had two contentious elections in a row. C. Feit feels that enough is enough and we need to move forward.

C. Kates agreed with C. Feit. C. Kates does not think it is coincidental of the challengers to be representatives of a certain group. Hopes Teaneck remembers that it is a nonpartisan professionally managed community. C. Kates spoke about the County politics influencing Teaneck, the shared vision of African Americans and Jewish people in the fight for civil rights and that she feels the community does not trust the Council. Recommends the Advisory Board on Community Relations needs to be more involved and Council needs to use them.

DM. Parker feels there is a "cloud" over Teaneck and starting with the new Council she hopes the "cloud" to move. DM. Parker spoke about the election and the challenger "super pass". DM. Parker is upset by the two poll workers getting fired by the County. DM. Parker asked her colleagues to pass a Resolution supporting poll workers to have their due process. DM. Parker spoke about the new Council being organized, "Leadership starts with us." She read aloud the resolution that she wrote.

DM. Parker made a motion to approve a resolution 236-08. Request Bergen County Board of Election Hold Hearing for Poll Workers. C. Gussen seconded.

Mayor Katz explained that he not normally been in favor of passing these types of resolutions to support. He likes to keep his focus on the day-to-day of Teaneck, but he will be supporting this resolution.

Carried by the following vote:

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

Opposed: None.

Absent: C. Rudolph.

DM. Parker will write a letter as an individual supporting the reinstatement of the poll workers but does not believe that it is in Council's purview to tell the County to reinstate them.

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C. Honis spoke about the last forum before the election and that the diversity in Teaneck is the greatest asset. C. Honis explained that she has received numerous letters from residents, C. Honis read a few of the lines out loud. She stated that everyone in the room, at the forum, knew what she was referring to when she said her statement about the death penalty. It was not her intent to harm anyone with words. She spoke about insensitive words and that her accusers are being insensitive as well. C. Honis was highlighting the death penalty in this country. She would like her accusers to join in and asking the Federal Government in abolishing this form of death penalty.

C. Gussen commented that he was stunned that C. Honis believes no one in that room was offended, he was there and he was offended and her running mate, Council Elect Toffler said that she cringed when that came out of her mouth.

Mayor Katz read aloud the letter he wrote to Eileen DeBari regarding the firing of the poll workers. Mayor Katz feels we need to work together on healing and work together as a community.

#### **MISCELLANEOUS**

C. Kates - HNBL - The artifacts in the museum were damaged by flood in April 2006. They will be stored in a new building on then Hackensack Campus of FDU.

# **NEW BUSINESS**

None.

# **COMMUNICATIONS**

None.

#### **COMMITTEE REPORTS - COUNCIL LIAISONS**

None.

# TOWNSHIP MANAGER'S REPORT

- 1. I have provisionally promoted Caryl Wynn to the position of Supervisor of Sr. Citizen's Activities with the Recreation Department, effective June 2, 2008.
- 2. I have provisionally promoted Francis Wilson to the position of Public Works Superintendent with the Department of Public Works effective June 2, 2008.
- 3. Thanked employees for their service to the community during the past month. Police, Fire, and the Department of Public Works for their hard work during the storms. Thanked office staff for communicating with all the residents. Mrs. Fall explained that PSE&G continues to be in Teaneck are working around the clock until all electric service is restored.

Mrs. Fall informed residents that all storm debris should be placed at the curb so the Department of Public Works can pick it up.

Mayor Katz reminded residents to sign up for the alerts on our new website.

#### TOWNSHIP ATTORNEY'S REPORT

None.

# **ADJOURNMENT**

In a motion made, seconded, and unanimously carried, the meeting was adjourned at 9:51 p.m.

Municipal Clerk's Office

MAYOR ELIE Y. KATZ

ADAM GUSSEN

Muca MONICA HONIS

ELNATAN RUDOLPH

ATTEST:

LISSETTE APORTELA-HERNANDEZ, M ACTING MUNICIPAL CLERK R# 208-07