

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TEANECK
HELD IN THE MUNICIPAL BUILDING ON TUESDAY, SEPTEMBER 9th, 1930.

The Chairman called the meeting to order, and on the roll call the following members responded: Chairman, Walker, Committeemen Hammiball, Reilly and McCarthy.

The following communications were received:

Frank Straub
John J. Herbert
N. J. State League of Municipalities
Assessment Commission
Township Engineer (2)
Winne & Banta
Union Sign Shop
Board of Health Report
Tax Collector's Report
Township Clerk's Report
Building Inspector's Report
Engineer's Report

Communication from Frank Straub requesting refund on his sewer assessment on Block 345, lots 17 to 23 inasmuch as he receives no benefit from it.
Referred to Assessment Commission.

Communication from J. J. Herbert requesting that something be done in the eastern part of Teaneck, i. e., Manhattan Avenue, St. Marks Place and Palisade Avenue which streets are in a terrible condition.
Referred to Engineering Department.

Communication from N. J. State League of Municipalities inviting the executives of the Township to their Sixteenth Convention to be held in the Alexander Hamilton Hotel, Paterson, on Friday, September 25-26.
Referred to Committee.

Communication from Assessment Commission - In going over our records of the street improvement assessment of Dickerson Road, we find that Block 263-F, lot 46 has been assessed for a water connection where none was installed. We recommend that this lot be relieved of the assessment for water connection amounting to \$23.80.
Referred to Tax Collector.

Communication from Engineer Wells calling attention to the danger of agents buying acreage in the Township and excavating their property to be sold to the State for use on the state highway, which may result in turning sections of the Township into pits. For the protection of the Township it is well to be aware that this sort of thing is contemplated and block it as much as possible if it can be blocked by invoking any law or ordinance in existence. At least the Township, I believe, would have a right to prevent the lowering of any grade of any streets shown on a filed map, unless it can be done without marring the general appearance of the neighborhood.
Referred to Committee and attorney.

Communication from R. W. Wells, Engineer, stating that the work on Standish Road has been completed satisfactorily by Mr. Leers and recommending that an ordinance be drawn taking this portion of Standish Road over by the Township.
Referred to Committee.

Communication from Winne & Banta re construction of a sanitary sewer and re-lift station which occupies the property belonging to Mr. and Mrs. Harry Bensen and Mr. and Mrs. Christian Bensen.

On October 23rd, 1928, Charles J. McCarthy for the Township wrote me a letter saying that the Township would pay the Bensens \$1.00 and assume all assessments for benefits by reason of the construction of the sewer or re-lift station, or the opening of the proposed Riverview Avenue. This proposal was acceptable in general to my clients, the only additional consideration requested being a retaining wall, if necessary, to protect the property of Christian Bensen. In January, 1929, Mr. McCarthy prepared an agreement between the Township and both Harry and Christian Bensen, and advised me that the Township officials were directed to sign this agreement by a resolution on December 11, 1928. The agreement between the Township and Christian Bensen was signed by my clients and forwarded to Mr. McCarthy, and I have had a deed to the Township of Teaneck ready for delivery as soon as the Township executed the agreement.

I have also in my possession, an executed agreement and executed deed from Harry Bensen and wife, but I am advised that notwithstanding these conferences and agreements, there has been an effort on the part of the Township of Teaneck to assess the property of the Bensens and I write to suggest that some person officially representing the Township confer at once with us about this whole matter. Your engineer Mr. Wells is familiar with the matter in every detail, and so is Judge McCarthy. Both these gentlemen, however, advise me that the matter is not in their hands. You realize, of course, that the Township has had no right during all this time to occupy the property of the Bensons and I certainly feel that it is not unreasonable to expect the matter to be adjusted promptly in view of the fact that we have had our executed papers ready for delivery for a great many months.

Referred to Committee.

Application to erect the following raised letter falt signs for Tanenhaus, 1195 Teaneck Road, sizes 2 x 5' - 2 x 14'6" - 2 x 6'.

Referred to Committee.

Report of Board of Health on Milk and Ice Licenses for August - \$6.00.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that report be accepted and money turned over to Treasurer.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Report of Tax Collector for August - Total taxes collected - \$34,976.75. Total assessments, \$26,572.59.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that report be accepted and placed on file.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Report of Township Clerk on franchise taxes for June and July - \$376.31.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that report be accepted and checks turned over to the Treasurer.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Report of Building Inspector for August - Total valuations, \$120,210.00 - Total fees, \$319.00. 50% due Township - \$159.50.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that report be accepted and check turned over to Treasurer.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Engineering Department report for August showing amount collected for permits, etc. - \$152.25.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that the report be accepted and money turned over to Treasurer.

On roll call all Committeemen being in favor and none against, motion was declared carried.

REPORTS OF COMMITTEES

Police Committee -

Mr. McCarthy presented check in the amount of \$45.37 which was donated to the Police Pension Fund by L. A. Florence, owner of golf course on Cedar Lane and Garrison Avenue, who held a Policemen and Firemen's Day, this check being the result.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the check be accepted and turned over to the Pension Fund.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Finance Committee -

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

RESOLVED that bills listed on General Disbursement Sheet dated September 9th, 1930, for the following accounts -

General Government	\$ 1,042.92
Grounds & Buildings	359.16

Police Department	\$ 3,318.41
Fire Department	1,690.28
Eng. Dept. Suspense	90.00
Road Department	1,368.33
Sewers & Disposal Plants	1,081.33
Street Lighting	3,726.36
Water Hydrants	6,222.97
Engineering Department	538.14
Board of Health	2.28
Poor Relief	12.90
Dumps	126.50
Parks	33.09
Weed Removal	51.25
Refund of License Permits	5.00
Interest on Bonds	59,827.50
Capital Account	384.42
Trust Account	65,000.00
	<u>\$144,780.84</u>

amounting to a total of One Hundred forty-four thousand, seven hundred eighty dollars and sixty-four cents, having been audited and found correct the Treasurer is hereby authorized to pay the same provided he has, in his possession, sufficient funds.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

UNFINISHED BUSINESS

Hearing was ordered held on an Ordinance to Amend the Zoning Ordinance changing the property on the west side of Queen Anne Road from a point one hundred (100) feet southerly from the southerly side of Highwood Street, northerly to the southerly side of Highwood Street from a "C" residence zone to a Business zone.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the hearing be closed.

On roll call all Committeemen being in favor and none against, motion was declared carried.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the above ordinance proceed to second reading.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Ordinance was given second reading.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the above ordinance pass on second reading.

On roll call all Committeemen being in favor and none against, motion was declared carried.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the above ordinance proceed to third and final reading by title only.

On roll call all Committeemen being in favor and none against, motion was declared carried.

Ordinance was given third and final reading by title only.

A motion was made by Mr. McCarthy, seconded by Mr. Reilly, that the above ordinance be approved on third and final reading and adopted as a whole.

On roll call all Committeemen being in favor and none against, motion was declared adopted.

Confirmation hearing on assessment for the grading of Cedar Lane between Queen Anne Road and Broad Street.

A motion was made by Mr. Reilly, seconded by Mr. McCarthy, that the hearing be closed.

On roll call all Committeemen being in favor and none against, motion was declared carried.

- An Order confirming report of Assessment Commission was offered by Mr. Reilly, seconded by Mr. Hannibal, granting the privilege and option of paying the assessments hereby made and confirmed in ten equal yearly installments with accrued interest on each installment to the date of payment of same, said interest to begin sixty days from the date hereof.

On roll call all Committeemen being in favor and none against, Order was declared adopted.

NEW BUSINESS

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, that Patrolman Klemm be placed on the regular force inasmuch as he had served his six months probationary period.

On roll call all Committeemen being in favor and none against, motion was declared carried.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

WHEREAS on November 26th, 1929, a resolution was adopted by the Township Committee of the Township of Teaneck in connection with assessments for Queen Anne Road improvement authorizing a credit or refund based on an allowance of Three dollars per front foot, and as otherwise provided in said resolution, and

WHEREAS on March 25th, 1930, the Township Committee of the Township of Teaneck passed a further resolution fixing the amount of allowance for the respective properties relieved by lot and block number, and further providing that the owners of record of the properties described in said resolution are credited and the overpayments are approved for refund as therein shown, and

WHEREAS doubts have arisen as to the person or persons entitled to said refund covering lots 233, 234 and 235, in block 561, which doubts were not intended to be settled in favor of any specific person or persons in said resolution of March 25th, 1930,

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Teaneck that said resolution of March 25th, 1930, be and the same is hereby amended so as to provide that the overpayments approved for refund with respect to lots 233, 234 and 235 in block 561, be paid to the owner or owners of record of said property or other proper person or persons legally entitled thereto.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

WHEREAS it appears to the satisfaction of the Township Committee of the Township of Teaneck, N. J. that an error was made in 1925 in plotting the property known as block 64, lot 5A,

WHEREAS after investigation by the Engineering Department, it has been definitely determined that lot 5A does not exist - it actually being part of lot 5,

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to redeem the property upon payment of 1928 taxes in amount of \$8.00 plus interest.

On roll call all Committeemen being in favor and none against, resolution was declared carried.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

WHEREAS it appears to the satisfaction of the Township Committee of the Township of Teaneck, N. J., that an error was made in assessing property known as Block 102E, lot 52E on the Lincoln Place improvement assessment for a frontage of 104.94',

WHEREAS the above property has a frontage of 100-94 feet,

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to reduce the Lincoln Place improvement assessment on Block 102E, lot 52E from \$720.75 to \$669.75 (see report of Assessment Commission, dated August 13th, 1930.)

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

WHEREAS the Township of Teaneck has received certain refunds from the Hackensack Water Company covering stub services which are carried as a suspense account on the General Ledger,

WHEREAS these refunds are applicable to the following described properties,

BLOCK	LOT	BOOK	PAGE	AMOUNT
102B	9	14	92	35.49
"	11-Pt. 13	14	92	35.49
"	Pt. 13-15	14	92	35.50
102D	2	14	92	35.50
"	3	14	92	35.50
102E	1	14	92	35.50
				\$212.98

WHEREAS these accounts have not been paid in full,

THEREFORE BE IT RESOLVED that the Treasurer be and he hereby is authorized to turn over to the Tax Collector the amount of \$212.98, which the Tax Collector will credit to the accounts enumerated above.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

RESOLVED that the Teaneck National Bank be and they hereby are authorized to pay upon presentation interest coupons due October 15th, 1930, on Bonds numbers 16 to 853 inc., of the \$853,000. issue of temporary loan bonds, amounting to \$17,545.00,

Also to pay upon presentation principal due October 15th, 1930, on bonds numbers 16 to 30 inc., of the above issue, amounting to \$15,900.00,

A total principal and interest of \$32,545.00.

The said \$32,545.00 to be charged by the Teaneck National Bank to the Township of Teaneck Bond and Interest Account, and

BE IT FURTHER RESOLVED that the Township Clerk be and he hereby is directed to forward a certified copy of this resolution to the Teaneck National Bank, Teaneck, N. J.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

RESOLVED that the Teaneck National Bank be and they hereby are authorized to pay upon presentation interest coupons due October 15, 1930, on the \$829,000. issue of temporary loan bonds as follows: Bonds numbers 874 to 809 inc., 828 to 834 inc., 837 to 1250 inc. and 1252 to 1482 inc., amounting to \$21,670.00, and

To pay by check to the order of Charles C. Willeughby, 110 West 32nd Street, New York City, interest due October 15, 1930, on Registered Bonds Numbers 810 to 827 inc., 835 and 836, amounting to \$550.00, and

To pay by check to the order of Ralph S. Bullock, Hoosick Falls, N. Y. interest due October 15, 1930, on Registered Bond Number 1251, amounting to \$27.50,

A total interest of \$22,247.50.

Also to pay upon presentation principal due October 15, 1930, on Bonds Numbers 874 to 895 inc., of the above issue, amounting to \$20,000.00.

A total principal and interest of \$42,247.50.

The said \$42,247.50 to be charged by the Teaneck National Bank to the Township of Teaneck Bond and Interest Account,

BE IT FURTHER RESOLVED that the Township Clerk be and he hereby is directed to forward a certified copy of this resolution to the Teaneck National Bank, Teaneck, N. J.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

RESOLVED that the Teaneck National Bank be and they are hereby authorized to pay upon presentation interest coupons due October 1, 1930, on Temporary Loan Bonds, \$666,000. issue, on Bonds Numbers 1 to 446 inc., and 451 to 666 inc., amounting to \$19,860.00, and

To pay by check to the order of Police and Firemen's Pension Fund Commission of Teaneck, N. J. interest coupons due October 1st, 1930, on Registered Bonds Numbers 447 to 450 inc., amounting to \$120.00.

A total interest of \$19,980.00.

Also to pay upon presentation principal due October 1st, 1930, on Bonds Numbers 1 to 30 inc. of the above issue, amounting to \$30,000.00.

A total principal and interest of \$49,980.00.

The said \$49,980.00 to be charged by the Teaneck National Bank to the Township of Teaneck Bond and Interest Account.

BE IT FURTHER RESOLVED that the Township Clerk be and he hereby is directed to forward a certified copy of this resolution to the Teaneck National Bank, Teaneck, N. J.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

The following resolution was offered by Mr. Reilly, seconded by Mr. Hanniball:

RESOLVED that the Palisade Trust and Guaranty Company be and they hereby are authorized to pay upon presentation interest coupons due October 1st, 1930, on Road Equipment Bonds Numbers 10 and 11, amounting to \$55.00,

The said \$55.00 to be charged by the Palisade Trust and Guaranty Company to the Township of Teaneck Bond and Interest Account, and

BE IT FURTHER RESOLVED that the Township Clerk be and he hereby is directed to forward a certified copy of this resolution to the Palisade Trust and Guaranty

Company, Englewood, N. J.

On roll call all Committeemen being in favor and none against, resolution was declared adopted.

Mr. Kelly - May I ask the Committee at this time, has this Committee or Committee prior to this exceeded their debt limit?

Chairman - Not to my knowledge, Mr. Kelly, perhaps the Clerk can advise us.

Mr. Kelly - There has been some inference that this Town has exceeded its debt limit. I know when I went off in 1930 it hadn't and I am quite sure it hasn't, but I thought I would ask for confirmation.

Chairman - It has not exceeded its debt limit at any time.

Mr. Reilly - I think press should be particularly requested to give that information out so that it will be seen by everyone. Great damage is being done by saying that the debt limit has been passed, which is not true.

Clerk read net debt of Township of Teaneck for 1929 was 6.73%. For 1928, 6.51%. 1927, 3.80%.

Mr. Reilly - That is conclusive proof that the debt limit has never been exceeded.

Judge Seufert - I understand there has been petition filed for change in setback lines on business thoroughfares.

Chairman - Committee has that under consideration and we are arranging a meeting with Mr. Swan, the party who prepared the zoning ordinance, to go into that matter.

Judge Seugert - It is quite important to get into immediate conference with him. It is useless to argue the matter in public, the error is so evident and injury so positive. Ordinance as it now stands is without meaning and as matter of fact makes a ridiculous situation.

After some further discussion on this matter, it was decided that Clerk should get in touch with Mr. Swan and arrange a date for meeting and advise Judge Seufert of that date so that he may be present.

Mr. Appel - Judge Seugert has appeared for real estate men, how about us home owners, are we to have representative there?

Chairman - There will be public hearing on it before there is any change.

Mr. Appel - You invite His Honor to come to private meeting, how about us home owners coming? It interests us people on all corners.

Chairman - If you wish invitation I think Committee will extend it to you. There will be a public hearing and everyone will be given opportunity to present their views before it is changed.

Mr. Appel - I have suggestion to make. These people on Cedar Lane want that 40' ordinance changed. Why not have Garrison Avenue come up to the building line, that is where apartment houses are going to be, between Garrison and DeTurck.

Mr. Kelly - I happen to be one of the real estate men, but on that particular petition there were many individual owners and they don't participate in the sale of real estate, nor the improvement of property from a re-sale standpoint. They may not be as interested as the speaker in speaking of Cedar Lane and DeTurck St. that affects him; self preservation is the first law of man. When he refers to real estate, each and every owner who sells private home, lot or apartment house is perhaps in the real estate business.

Mr. Vagnina - Can I find out what Township is doing about widening of Teaneck Road? I don't hear anything more about it.

Chairman - It is in the hands of the County and I think Mr. Wells can give you more information.

Mr. Wells - I made a complete survey of that at the request of the County from

Fort Lee Road to Cedar Lane. It seems that they developed a shortage of money, they had to advance money to the State or something, and I think it is temporarily held up. We are not holding it up.

Mr. Vagnina - Whole summer is past.

Mr. Wells - That is up to the County. That is best I can answer, it is not being held up by the Town.

Mr. Vagnina - They have hundreds of thousands of dollars to spend for the Town, where is that money for the Town? It seems to me you are not pushing the thing. Engineer or Road Commissioner should do something about it.

Mr. Wells - We are doing all we can, it is entirely up to the County.

Mr. Vagnina - It is up to the County, Township is nothing.

Mr. Scherer - Some time in July some residents from Martense Avenue appeared in relation to the street where temporary improvement was made. We were informed because of the fact that the Township was in such debt they couldn't go on with the improvement. These figures that are mentioned tonight, 6.73% has that to do with the amount of the Town's present debt, or was the Township really in debt for 15%?

Chairman - Town was in debt to 6.73%, they cannot exceed 7%, and I think Mr. Weller can explain about 181.

Mr. Weller - When they passed that Chapter 181 of the Laws of 1930 they radically changed the basis of calculating your debt statement. Heretofore any monies that were to be specially assessed were entirely deducted in figuring the Township's net debt. In Chapter 181 they changed it around and only permitted you to deduct a certain portion of these outstanding unpaid assessments. We don't have any more debt than before except that they put this automatic check on making local improvements. It has no significance on financial credit of this municipality. We have reached the limit of expansion permitted by law, but our net debt is still under 7%.

Mr. Scherer - We thought perhaps you couldn't do anything until you were notified from Trenton about the bill. We find in speaking to the Road Commissioner that might be held up to the end of this year because of receiving of bids and our interest was solely in having Martense Avenue completed this year.

Mr. Weller - It is up to the Township Committee whether they proceed with it or not. That ordinance has gone to point where it was finally adopted, but has not been published and until that has been done it cannot take effect until ten days after publication. They can't proceed with it tonight.

Gentleman - In regard to the extension of Palisade Avenue, has any answer been returned from the Freeholders?

Chairman - No. That was in the same class as the other. There are certain improvements that the Township has to do.

Gentleman - We were to get answer.

Chairman - We have no answer.

Mr. Wells - We followed it up quite definitely and we haven't got final answer yet. They are still working on another road that the county wants put through.

Gentleman - It seems County has taken over New Bridge Road and roads all around and somehow Teaneck gets nothing. There must be something wrong.

Mr. McCarthy - It is Teaneck's own fault.

Mr. Hanniball - There probably is something wrong.

Gentleman - You told me they were going to start in a few days.

Mr. Hanniball - You must have misunderstood. I told you Mr. Wells was starting on survey.

On motion made, seconded and carried, meeting adjourned to September 23rd, 1930.

Respectfully submitted,

Henry H. Hensley
Township Clerk.

cc