

MINUTES OF A REGULAR MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TEANECK
HELD IN THE MUNICIPAL BUILDING ON TUESDAY, OCTOBER 21st, 1930.

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

A motion was made by Mr. McCarthy, seconded by Mr. Falt, that the minutes of preceding meeting be approved as transcribed.

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

The following communications were received:

Ernest Weller
Karl D. Van Wagner
Edward F. Hushebeck
Harry D. Wethling
Petition for light on Howland Ave.
and Buffett Terrace.
Assessment Commission (2)

Communication from Ernest Weller, Township Attorney - In connection with the Rule to Show Cause and application for a writ of certiorari in the matter of Macarone vs. Zoning Board of Adjustment of the Township of Teaneck, please be advised that I am in receipt of memorandum of opinion of the N. J. Supreme Court dated October 14th, 1930, in which the Rule is discharged. At the opening of the term on September 9th, 1930, the matter was originally argued and Justice Parker gave a decision at that time to discharge the Rule but subsequently the attorney for Macarone made a motion for reconsideration of this decision which was argued at Morristown on September 13th, at which time Justice Parker ordered the taking of depositions in connection with the original Rule. These depositions were taken at length on September 19th, at which time Mr. Duffy, Mr. Losche and myself, testified and the argument on the depositions thereafter took place at Newark on September 27th, 1930, resulting in the present decision. So far as the Township is concerned the matter is closed and the revocation of building permit stands, and I am accordingly enclosing herewith my bill for services rendered.

File.

Communication from Karl D. Van Wagner, of the Teaneck Taxpayers League, protesting against the heavy trucks being used in the construction of Route #4 using Queen Anne Road. Properly and advisedly the contractor should be obliged to route his trucks and equipment over Cedar Lane and Teaneck Road, which are county roads, to Elizabeth Avenue. The latter street, being of permanent type (concrete) construction, could be used to reach site of the work with little possibility of damage.

Referred to Police Department.

Communication from Edward F. Hushebeck, President of City Council of New Castle, Del. requesting information on what the salary of the City Manager will be and also the number of years to be contracted for.

Referred to new Council.

Application of Harry D. Wethling, of Orange, N. J. for position of City Manager.

Referred to new Council.

Petition from seven residents requesting the installation of a light at the intersection of Buffett Terrace and Howland Avenue.

Referred to Engineering Department.

Communication from Assessment Commission - We are returning herewith the resolution for the widening of Cedar Lane as covered by ordinance #432. Mr. Crichton's office advises us that the cost of the property west of Garrison Ave. on Cedar Lane has not been included in this resolution and the costs furnished the Assessment Commission apply only to the land acquired on Cedar Lane east of Queen Anne Road. We are further advised by the former Township Engineer, Mr. Fraleigh, that the property west of Garrison Avenue on Cedar Lane was purchased by the Township from Mr. F. Warner under an agreement that this strip west of Garrison Avenue would not be assessed for the improvement.

With these facts before us we are returning this resolution to the Township Committee for further investigation and suggest that you furnish us with any additional data or agreements that the Township of Teaneck have entered into with this property owner. We also ask you to furnish this Commission with an assessment map signed by the Township Engineer covering this assessment.

Referred to Committee as a whole.

Communication from Assessment Commission - Due to the fact that no additional evidence has been presented to this Commission, we are returning herewith the assessment report covering the Red Road street improvement to be correct as rendered.

Referred to Committee as a whole.

REPORTS OF COMMITTEES

No reports.

UNFINISHED BUSINESS

Hearing was ordered held on an ordinance to amend an ordinance entitled: AN ORDINANCE TO REORGANIZE, ESTABLISH, MAINTAIN, REGULATE AND CONTROL A POLICE DEPARTMENT IN THE TOWNSHIP OF TEANECK AND TO PROVIDE RULES AND REGULATIONS FOR THE GOVERNMENT AND CONDUCT THEREOF, AS AMENDED.

A motion was made by Mr. McCarthy, seconded by Mr. Hanniball, 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. Falt, 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. Falt, 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. Falt, 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. Falt, 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 carried.

Hearing on an ordinance entitled: AN ORDINANCE TO FIX THE SALARIES OF POLICEMEN AND PAID FIREMEN OF THE TOWNSHIP OF TEANECK IN THE COUNTY OF BERGEN, SUBJECT TO A REFERENDUM OF THE LEGAL VOTERS.

A motion was made by Mr. Reilly, seconded by Mr. Hanniball, 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. Falt, 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. Hanniball, 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. Falt, 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. Falt, 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 carried.

NEW BUSINESS

Mr. McCarthy - In accordance with ordinance adopted tonight, I wish to announce the names of the Committee to conduct the examination, said examination to be held on Saturday, October 25th, 1930, at 3:00 P.M. - Frederick Andreas, Frank L. Sample and Edward Schwartz.

Mr. Reilly - Didn't you change your mind on one of the appointments?

Mr. McCarthy - One of the members of the Board did.

Mr. Reilly - I want it known that I suggested the name of Mr. Morten.

Mr. McCarthy - Undoubtedly his name will be in there. I don't think one of the men will be able to serve.

A motion was made by Mr. Falt, seconded by Mr. McCarthy, that Harry Zimmer be granted his Exempt Firemen's Certificate, Mr. Zimmer having served the required seven years as a volunteer fireman.

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 it appears to the satisfaction of the Township Committee of the Township of Teaneck, N. J. that Block 366A, lot 20 (\$206.25) and Block 368C, lot 1, (\$128.25) receives no benefit under the Glenwood Park sewer assessment, and it is recommended that they be relieved (see report of Assessment Commission, dated October 8th, 1930),

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to cancel the Glenwood Park sewer assessment on the above named property.

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 the following lots derive no sewer benefit under the Glenwood Park sewer assessment (see report of Assessment Commission, dated October 9th, 1930):

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
345	17	\$18.75
	18	18.75
	19	18.75
	20	18.75
	21	18.75
	22	18.75
	23	15.75

WHEREAS two installments have been paid on each of the above named lots on this assessment,

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to cancel the Glenwood Park sewer assessment charge on the above property and refund the payments made by the owner.

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, after investigation by the Assessment Commission, Block 366A, lot 1, was assessed for \$1090. and that it should be reduced to \$670., (Glenwood Park assessment),

WHEREAS Block 366B, lot 1 was assessed for \$497.85 and the Assessment Commission recommend that it be reduced to \$325. under the Glenwood Park sewer assessment,

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to make the above named adjustments and issue corrected bills.

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 principal due November 15, 1930, on Bonds Numbers 1 to 6 inc., of the \$134,000. issue of Public Improvement Bonds, amounting to \$6,000.00.

Also to pay upon presentation interest coupons due November 15, 1930, on Bonds Numbers 1 to 134 inc., of above issue, amounting to \$3,182.50.

A total principal and interest of \$9,182.50.

The said \$9,182.50 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: WHEREAS it appears to the satisfaction of the Township Committee of the Township of Teaneck, N. J. that property known as Block 230, lots 72 and 73 were sold at tax sale on March 14, 1930,

WHEREAS the property was redeemed on the morning of the sale, March 14, 1930.

THEREFORE BE IT RESOLVED that the Tax Collector be and he hereby is authorized to cancel the tax sale certificate on the above named property.

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 Public Service Gas and Electric 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	NAME	AMOUNT
102F	12	John & Marg. Beckert	\$6.00
417	18	Nelrose Realty Co.	6.00
			\$12.00

WHEREAS these accounts have been paid in full,

THEREFORE BE IT RESOLVED that the Treasurer be and he hereby is authorized to make refunds direct to the owners of the property listed 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: WHEREAS the Township of Teaneck has received certain refunds from the Public Service Gas and Electric Co. 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
241-A	4	13	132	\$6.00

WHEREAS this account has 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 \$6.00 which the Tax Collector will credit to the account listed above.

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

The following resolution was offered by Mr. Hanniball, seconded by Mr. Reilly: RESOLVED that the Public Service G. & E. Company be and hereby is authorized to install one - 250 c.p. light on DeTurck Street west of the West Shore Railroad.

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

The following communication was received from Martin J. Cummins - I represent Mrs. Jeannette Hebbert of Teaneck, who is the owner of premises known as lot 14, in Block 561-A on the assessment map. On January 28, 1928, these premises were sold to the Township of Teaneck at an assessment sale for taxes in the amount of \$534.48. This certificate is recorded in the Bergen County Clerk's office in book 1049 of deeds at page 601, etc. On September 4, 1928, this property was redeemed and the cancelled tax certificate was given to J. H. Hanley. Mrs.

Hebberd has since purchased this property from the grantee of Hanley and we find that the tax certificate has never been cancelled of record. We have attempted to locate Hanley, but without success. May I ask that your Body execute a quit claim deed to Mrs. Hebberd so that her title may be cleared. I would appreciate it if this could be done at once, and we shall be very pleased to pay the cost of preparing this quit claim deed.

Mr. Weller - Mr. Cummins called me up late this afternoon and told me in this particular matter the tax sale certificate was redeemed by the owner, but the owner lost the tax sale certificate and it was never cancelled of record. The matter stands open, and the only way it can be closed is by the Township executing a quit claim deed releasing the land. I would like to recommend that the proper officials be authorized to execute a quit claim deed, subject to the Tax Collector's approval.

The following resolution was offered by Mr. McCarthy, seconded by Mr. Falt:

WHEREAS it appears to the satisfaction of the Township Committee that tax sale certificate dated January 28th, 1928, for \$534.48 covering lot 14, block 561A, assessed to J. H. & R. E. Hanley, held by the Township of Teaneck and recorded in Book 1049 of Mortgages on page 601 in the County Clerk's office was duly redeemed but never cancelled of record; now therefore

BE IT RESOLVED by the Township Committee of the Township of Teaneck that the proper officers be and they are hereby authorized to execute quit claim deed releasing said premises from the lien of said tax sale certificate subject to check of facts recited in the preamble hereof by the Tax Collector, deed to be drawn and approved by the Township attorney.

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

Mr. McCarthy - There is communication which you referred to the Police Department regarding these trucks on Queen Anne Road. I would like the Engineer to give us his version of that.

Mr. Wells - When this matter first came up, I talked with the State Engineer about it and it seems it is absolutely necessary to bring that dirt in there from some point to be deposited in that particular fill because they can't get across the railroad. The only other way would be to go down Elizabeth Avenue and being right by the high school I thought it dangerous for the children. It made a dangerous intersection at Queen Anne Road, and I gave them permission to run down Queen Anne Road, and it seems the only sensible thing to do. We can't interrupt the construction of the State Highway. You can stop them if you want and have contractor put under bond.

Mr. McCarthy - If I have to follow out the ordinance as it is written you won't have a bus riding on Queen Anne Road because all of them weigh considerably more than six or seven tons, and ordinance calls for 2½. There are times when you have to stretch these points. If the Committee wishes me to, I certainly will obey the ordinance, both the letter and the spirit.

Chairman - I think it should be left to the discretion of the Police Commissioner.

On motion made, seconded and carried, meeting adjourned.

Respectfully submitted,

Henry Seider
Township Clerk.