

**TOWNSHIP OF TEANECK, NJ  
RESOLUTION**

Council Members	YES	NO	Abstain	Absent
Katz				
Parker				
Pruitt				
Schwartz				
Stern				
DM. Gussen				
M. Hameeduddin				



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Agenda N

Resolution No. \_\_\_\_\_

Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_

WHEREAS, in accordance with the Code of the Township of Teaneck, the Township Clerk is responsible to keep and preserve safely the minutes and records of the proceedings of the Council ..., to prepare detailed written minutes and make them available to the Council ..., to reflect in such minutes all actions taken, the names of all persons participating in the same and a summary of their positions, and, upon approval by the Council, to sign the minutes certifying that such minutes have been duly approved and to make the minutes available to the public; (see § 2-31(a) and Rule VI(c) of Appendix I to Chapter 2) and

WHEREAS, the Open Public Meetings Act (specifically N.J.S.A. 10:4-14) requires that each public body shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent the making of such matters public shall not be inconsistent with (the provisions of N.J.S.A. 10:4-12); and

WHEREAS, upon the current Township Clerk assuming the Office of Township Clerk on February 8, 2011, there was a substantial backlog in the preparation of minutes of Council meetings; and

WHEREAS, based on a review of available notes, records, agendas and recordings from the such meetings, the Township Clerk has diligently been working on such backlog and has prepared minutes of meetings from January 1, 2010 through and including June 30, 2012, which have not been previously approved by Township Councils and which the Clerk has represented to the Council are accurate based on her review; and

WHEREAS, over such period of time there has been a change in the membership on the Township Council and that, by reason thereof, as well as the absence or recusal of various Council members from certain meetings, a majority of the current Council members may not have been present or in office at the time of the meeting for which minutes have been prepared and presented; and

WHEREAS, a question has arisen as to whether a current council member may vote to approve minutes of a meeting notwithstanding that such member may not have been present at the meeting or that such member may not have been on the council at the time of such meeting; and

WHEREAS, neither the Township Code, nor any provision of State statute, nor reported court decision prohibits a council member from voting on the approval of minutes from a meeting at which such council member was not present or may not have been on the Council at the time of such meeting but, to the contrary, in the reported decision of *Rhinesmith v. Goodfellow*, 111 N.J.L. 604 (1933), the New Jersey Court of Errors and Appeals affirmed a lower court decision upholding the vote of a council member on the appointment of a Borough Clerk at which meeting the council member voted to amend minutes of a prior meeting at which he was not in attendance and at which he was not yet sworn in as a council member; and

Prepared by \_\_\_\_\_

Checked by \_\_\_\_\_

Approved by \_\_\_\_\_

This is to certify that the above Resolution was adopted by the

Township Council on July 24, 2012

Jaime L. Evelina, RMC, Twp. Clerk

**TOWNSHIP OF TEANECK, NJ  
RESOLUTION**

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Agenda N

Resolution No. \_\_\_\_\_

Motion: \_\_\_\_\_

Seconded: \_\_\_\_\_

WHEREAS, a resolution for the approval of minutes, similar to a resolution for the approval of a re-development contract as discussed in *Deegan v. Perth Amboy Redevelopment Agency*, 374 N.J. Super. 80, 87 (App. Div. 2005), is essentially an administrative action and may be approved by a member who was absent from the prior meeting or who may not have been a member at the time, based entirely on an informal review of its provisions or discussions with staff, without the necessity of either reading a transcript of such meeting or listening to a recording thereof; and

WHEREAS, the minutes set forth on the schedule of meetings and attendance annexed hereto have been previously distributed to the members of the Council for their review;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Teaneck, Bergen County, New Jersey, that the Township Council hereby approves, by and as its administrative act, the minutes, as prepared by the Township Clerk, from the meetings listed on the attached schedule of meetings and attendance, copies of which minutes are on file in the office of the Township Clerk and, with respect to the open session meetings, are available for public inspection, and, with respect to closed session minutes, shall be made available for public inspection to the extent the making of such matters public shall not be inconsistent with the provisions of N.J.S.A. 10:4-12.

Prepared by \_\_\_\_\_

Checked by \_\_\_\_\_

Approved by \_\_\_\_\_

This is to certify that the above Resolution was adopted by the

Township Council on July 24, 2012

Jaime L. Evelina, RMC, Twp. Clerk



2/21/2012	-	Absent	Present	Present	Present	Absent	Present	Present	Present	Present	Present	3
3/6/12	-	Present	Present	Present	Present	Absent	Present	Present	Present	Present	Present	4
3/20/12	-	Present	Present	Present	Present	Present	Present	Present	Present	Present	Present	5
4/3/12	-	Absent	Present	Present	Present	Present	Present	Present	Present	Present	Present	4
4/24/12	-	Present	Present	Present	Present	Absent	Present	Present	Present	Present	Present	5
5/15/12	-	Present	Present	Present	Present	Absent	Present	Present	Present	Present	Present	4
5/29/12	-	Present	Present	Absent	Present	Absent	Present	Present	Present	Present	Absent	3
6/12/12	-	No Meeting due to lack of quorum										
6/26/12	-	No Meeting due to lack of quorum										

## Teaneck Council Minutes and Attendance

Open Session January 1, 2010 - Through June 30, 2012

Date	Feit	Parker	Gussen	Hameduddin	Honis	Katz	Stern	Toffler	Eligible Voters From Previous Councils
5/25/10	Present	Present	Present	Present	Present	Present	-	Present	4
6/29/10	Present	Present	Present	Present	Present	Present	-	Present	5
7/1/10	-	Present	Present	Present	Present	Present	Present	Present	4
7/13/10	-	Present	Present	Present	Present	Present	Present	Present	5
7/27/10	-	Absent	Present	Present	Present	Present	Present	Present	4
8/24/10	-	Present	Present	Absent	Absent	Present	Absent	Present	3
9/14/10	-	Present	Present	Present	Present	Present	Present	Present	5
9/28/10	-	Present	Present	Present	Present	Present	Present	Present	5
10/12/10	-	Present	Present	Present	Present	Present	Present	Present	5
5/10/11	-	Present	Present	Present	Present	Present	Present	Present	5
9/13/11	-	Present	Present	Present	Present	Absent	Present	Present	4
9/27/11	-	Present	Present	Present	Present	Present	Absent	Present	4
10/11/11	-	Present	Present	Absent	Present	Present	Present	Present	4
10/25/11	-	Absent	Present	Present	Present	Present	Present	Present	4
11/29/11	-	Present	Present	Present	Present	Present	Present	Present	5
12/22/11	-	Absent	Present	Present	Present	Absent	Present	Present	3
1/10/12	-	Present	Present	Present	Present	Absent	Present	Present	4
1/24/12	-	Present	Present	Present	Present	Present	Present	Present	5
2/7/12	-	Present	Present	Present	Present	Present	Present	Absent	5
2/21/12	-	Absent	Present	Present	Present	Absent	Present	Present	3
3/6/12	-	Present	Present	Present	Present	Present	Present	Present	5
3/20/12	-	Present	Present	Present	Present	Present	Present	Present	5
4/3/12	-	Present	Present	Present	Present	Present	Present	Present	5
4/24/12	-	Present	Present	Present	Absent	Present	Present	Present	5
5/15/12	-	Present	Present	Present	Present	Present	Present	Present	5
5/29/12	-	Present	Present	Present	Present	Present	Present	Absent	4
6/12/12	-	Present	Present	Absent	Present	Present	Present	Present	3
6/26/12	-	Absent	Absent	Present	Present	Present	Absent	Present	2