

**TOWNSHIP OF CEDAR GROVE  
ESSEX COUNTY NEW JERSEY**

**COUNCIL STAFF MEETING**

**MINUTES  
7:00 P.M.**

**JANUARY 22, 2018**

**1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR**

Mayor Tanella called the meeting to order at 7:00 p.m. and made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly provided to the Verona-Cedar Grove Times and the Star Ledger, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building's lobby in accordance with the Open Public Meetings Act.

Present: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella  
Also Present: Township Manager Tucci, Township Attorney Zielinski, Township Clerk Stutz

**2. APPROVAL OF MINUTES**

- a) Executive Session – November 6, 2017

Councilman Vargo moved approval of the minutes as presented, seconded by Councilwoman Peterson, and passed unanimously.

- b) Executive Session – November 20, 2017

Councilman Vargo moved approval of the minutes as presented, seconded by Councilwoman Peterson, and passed unanimously.

- c) Executive Session – December 4, 2017

Councilman Vargo moved approval the minutes as presented, seconded by Councilwoman Peterson, and passed unanimously.

- d) Executive Session – December 18, 2017 (Interview)

Deputy Mayor Cicala moved approval and release of the minutes as presented, seconded by Councilman Kumburis, and passed unanimously.

- e) Staff Meeting – December 18, 2017

Deputy Mayor Cicala moved approval of the minutes as presented, seconded by Councilman Kumburis, and passed unanimously.

- f) Executive Session – December 18, 2017

Councilman Vargo moved approval of the minutes as presented, seconded by Councilwoman Peterson, and passed unanimously

g) Executive Session – January 8, 2018 (Interview)

Deputy Mayor Cicala moved approval and release of the minutes as presented, seconded by Councilwoman Kumburis, and passed unanimously.

3. **TOWNSHIP MANAGER** – The Manager provided jitney information that appears to preclude the municipality from providing residents transportation service to out-of-town train stations. There was consensus for the Township Attorney to review and provide a memo for clarification. The Manager advised that the Tax Assessor reported an increase of over \$9 million in the Township's ratable total. Mr. Tucci also noted that the average residential assessment increased from \$465,000 to \$467,100 in 2018. Mr. Tucci noted a letter of thanks from the Superintendent of Schools for assistance provided by the Township during a water main issue at North End School. The Manager provided proposed budget hearing dates. Following a brief discussion, the Manager offered to provide alternate dates for the hearings and will advise Councilmembers accordingly. The Manager requested an executive session to discuss COAH litigation.
4. **TOWNSHIP ATTORNEY** – The Township Attorney provided correspondence concerning Coptic Church litigation.
5. **TOWNSHIP CLERK** – The Clerk commented on status of proposed election polling site relocation concerns and will provide an update following review of a recent survey conducted. The Clerk reported that the League of Municipalities has advised that the legislature has not yet introduced any bills pertaining to the legalization of marijuana, which precludes any commentary yet. The Clerk noted the resignation of an RAB member and letter of interest for received for the Advisory Health Council. Clerk Stutz advised that there is currently no vacancy on the Advisory Health Council. Following a brief discussion there was consensus to appoint a recently interviewed resident (Lou Marzullo) to fill the RAB vacancy, remove the board/committee notice from TAP into Cedar Grove site, and advise the interested resident accordingly.

## 6. COUNCIL REPORTS

Mayor Tanella inquired status of dedication of Council Chambers to former Judge Scanlon. The Manager advised that the governing body should decide the type of dedication desired.

Councilman Kumburis noted construction of a dog park by the County on County owner Hilltop property in North Caldwell and suggested that the Township request the County to install a similar dog park in Cedar Grove Hilltop Park. Councilman Kumburis commented that he discussed the issue with Freeholder Luciano, who recommended that the governing body submit its request by resolution, similar to North Caldwell. Clerk Stutz was requested to obtain a copy of the North Caldwell resolution. Councilman Kumburis reported that the Environmental Commission discussed the availability of Sustainable Jersey grants for solar panels and energy aggregation. Councilman Kumburis noted the presence of Environmental Commission members Hetal Mistry and David Snyder to provide further information. The Township Manager explained previous efforts taken by the Township to ascertain the feasibility of solar panel installation on Township buildings.

Hetal Mistry; 37 The Glen, Environmental Commission member – Mr. Mistry explained that the Township’s Sustainable NJ bronze certification entitles the Township to apply for various available grants offered through Sustainable Jersey. Mr. Mistry discussed the solar panel grant opportunity. There followed discussion concerning the Township’s “Green Team” membership and current status. The Manager will provide information to the governing body regarding “Green Team” membership and appointment.

David Snyder; 4 Granite Drive, Environmental Commission member – Mr. Snyder noted another grant opportunity related to energy aggregation and requested that representatives from Sustainable Essex Alliance of Renewable Energy Aggregation explain the program.

Tracy Woods; 253 Burnett Ave. Maplewood and Robert McCoy; 17 Ball Terr. Maplewood explained the program, and discussed potential benefits and required action and suggested that the Township consider joining Sustainable Essex Renewable Government Energy Aggregation to provide residents an alternate electric supply purchase option.

Councilwoman Peterson reported creation of a facebook page for the Advisory Health Council.

Councilman Vargo provided an update on the proposed memorial for Bill Fearon. Councilman Vargo provided an overview on two proposed Downtown Advisory Committee events; “Cedar de Mayo” on May 12, a foodtruck festival and an “art gallery” showing on Pompton Avenue displaying Township-themed banners created by local artists, targeted for April. There was consensus for the Committee to proceed.

## 7. NEW BUSINESS

- a) To consider resolution concerning approval of re-appointment/appointment of Recreation Advisory Board members

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, that Jeanne Moreno, Philip Negra, and Mark Peterson be re-appointed/appointed as members of the Recreation Advisory Board for three-year terms, effective January 1, 2018 and terminating December 31, 2020.

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, that Lou Marzullo be appointed to fill a vacancy effective immediately, and expiring December 31, 2018.

Deputy Mayor Cicala moved adoption of the resolution, seconded by Councilman Kumburis and passed by the following vote:

AYE: Councilmember Kumburis, Deputy Mayor Cicala, Mayor Tanella

NO: None

ABSTAIN: Councilmember Peterson, Vargo

- b) To consider resolution concerning release of performance guarantee – Grove Street SPE, LLC

The following resolution had been posted on the bulletin board, and a brief synopsis was given by the Township Clerk:

**In the Matter of:  
Grove Street SPE, LLC  
Block 71, Lot 2**

**WHEREAS**, Grove Street SPE, LLC received preliminary and final site plan approval for Block 71, Lot 2, from the Zoning Board; and

**WHEREAS**, a developer's agreement was approved by the Mayor and Council of the Township of Cedar Grove on April 6, 2015; and

**WHEREAS**, sureties were posted to guarantee construction of site improvements consistent with the Zoning Board approval of the project; and

**WHEREAS**, a performance bond (First Indemnity of America Insurance Co. Bond No. CT021007) was posted by Grove Street SPE, LLC on June 12, 2015; and

**WHEREAS**, Grove Street SPE, LLC has requested release of remaining sureties; and

**WHEREAS**, the Municipal Engineer has inspected said premises to consider release of said sureties; and

**WHEREAS**, the Municipal Engineer has recommended release of the existing performance bond and remaining cash escrows.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve the release of Performance Bond No. CT021007, remaining 10% cash escrow in the amount of \$28,731.37, and remaining 5% post-approval of escrow in the amount of \$14,366.66.

Councilman Kumburis moved adoption of the resolution, seconded by Councilwoman Peterson and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella

NO: None

## **8. APPROVAL OF BILLS**

The Bill Resolution was read by title and amount as follows:

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, New Jersey, that the attached summary of bills having been duly audited and found correct be and they are thereby ordered paid and that warrants be drawn on the Treasurer in the aggregate amount of \$ 2,500,553.23.

Deputy Mayor Cicala moved adoption of the resolution, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella

NO: None

## **9. PUBLIC COMMENT**

Mayor Tanella opened this portion of the meeting to anyone wishing to be heard.

Charles Dovico; 111 Holly Lane – Mr. Dovico commented on the hazardous roadway conditions on Rt. 23. The Manager explained that the roadway condition is related to PSE&G utility work roadway patchwork by PSE&G contractors. The Manager further advised that the patchwork issues have been discussed with PSE&G representatives.

There being no one present wishing to be heard, Mayor Tanella closed this portion of the meeting.

## **AUTHORIZATION TO GO INTO EXECUTIVE SESSION**

WHEREAS, Section 8 of the Open Public Meetings' Act (N.J.S.A.10:4-12 (b) (1-9) permits the exclusion of the public from a Meeting of the Mayor and Council in certain circumstances; and

WHEREAS, the Mayor and Council of the Township of Cedar Grove are of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey that:

1. The public shall be excluded from discussion of any action on the Executive Session of the Meeting of the Mayor and Council of January 22, 2018.
2. The general nature of the subject matters to be discussed is pending COAH litigation.
3. It is anticipated at this time that the above stated subject matter will be made public as soon thereafter as it is deemed in the public interest to do so.
4. This Resolution shall take effect immediately.

Councilman Vargo moved adoption of the resolution, seconded by Deputy Mayor Cicala and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella

NO: None

## **10. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:55 p.m. by acclaim.