

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

PUBLIC MEETING

MINUTES

MARCH 7, 2016

1. ROLL CALL, INVOCATION AND FLAG SALUTE

Mayor Chiusolo called the meeting to order at 7:00 p.m.

Present: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

Also Present: Township Manager Tucci, Township Attorney Zielinski, and Township Clerk Stutz

The flag salute was led by Mayor Chiusolo.

Mayor Chiusolo 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 on December 31, 2015 filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

2. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

(a) Presentation of Certificates of Achievement to Eagle Scouts

Mayor Chiusolo presented certificates to Paul Joseph Romeo and Connor Leo Cunniff for achieving the rank of Eagle Scout. Edward DeLora was unable to attend the meeting, but also achieved the rank of Eagle Scout and received a certificate.

3. APPROVAL OF MINUTES

(a) To consider approval of regular public meeting minutes of February 8, 2016

Councilman Maffucci moved approval of the minutes as presented, seconded by Deputy Mayor Tanella, and passed by the following vote:

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

4. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON THE AGENDA

Mayor Chiusolo opened this portion of the meeting to anyone wishing to be heard on any item on the agenda. There being no one present wishing to be heard, Mayor Chiusolo closed this portion of the meeting.

5. REPORTS OF TOWNSHIP OFFICIALS

(a) Township Manager – The Manager requested to conduct a special public meeting on March 21, 2016 at 7:00 p.m. to facilitate the introduction of the 2016 municipal budget, to

which the governing body agreed. Mr. Tucci noted that the previously scheduled staff meeting will immediately follow. Mr. Tucci also noted the Municipal Engineer's recommendation for award of contract for engineering design services Neglia Engineering for installation of bleachers and ADA walkway at Panther Park, to which the governing body agreed.

(b) Township Clerk – The Clerk noted a request for a proclamation for autism awareness for presentation at the April 4th public meeting, to which the governing body agreed.

(c) Township Attorney – The Township Attorney requested an executive session to discuss two advisory memos regarding Highview Homes and social media.

(d) Other Reports

Councilman Longo requested an update on the status of pedestrian footbridge to the Public Library. The Manager advised that a contract was recently awarded for engineering design services and anticipated commencement of construction within 6 – 7 months. Councilman Longo thanked the Police Department, specifically Officers Buscio, Rodriquez, Pumphrey and Hectus and Ambulance & Rescue Squad driver Doug Giblin and crew members for their response to his medical emergencies on November 27, 2016 and February 25, 2016.

Councilman Maffucci provided an update from Kate Hartwyk, Essex County liaison on erosion repairs along the Essex County Bikeway/Trail.

Councilman Kumburis requested release to the public of the Township Attorney memo regarding Highview Homes. Deputy Mayor Tanella objected to release of memo. Deputy Mayor Tanella explained that the governing body had not yet had opportunity to review and discuss the memo nor is it the practice of the governing body to release attorney memos. Councilmen Maffucci and Longo concurred with Deputy Mayor Tanella to decline release of the memo.

Deputy Mayor Tanella acknowledged the end of Senator Kevin O'Toole's public service career. Deputy Mayor Tanella commented that Senator O'Toole began his public service career at the local level, serving on our Township's volunteer Fire Dept. and governing body as elected councilman, including three terms as mayor. Deputy Mayor Tanella commented that as Kevin O'Toole's public service progressed to the State level, first as Assemblyman and currently Senator, he has continued to represent those constituents that he first served, the residents of Cedar Grove. Deputy Mayor Tanella recounted how appreciative he was for Sen. O'Toole's personal constant communication and offers of assistance to the Township when the Deputy Mayor was serving as Mayor during Hurricane Sandy. Deputy Mayor Tanella further commented that he personally will miss Senator O'Toole's leadership. Deputy Mayor Tanella requested to make discussion of a presentation an item on the next staff agenda, to which the governing body agreed.

6. CONSENT AGENDA

(a) To consider resolution concerning re-appointment of Advisory Health Council 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 Chris Lee, Diane Nicolette and Raymond Testa be re-appointed as members of the Advisory Health Council for three-year terms, effective January 1, 2016 and terminating December 31, 2018.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

- (b) To consider resolution concerning re-appointment of Environmental Commission 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 Hetal Mistry, Ann C. Mega and Michael Maffucci be re-appointed as members of the Environmental Commission for three-year terms effective January 1, 2016 and terminating December 31, 2018.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

- (c) To consider resolution concerning re-appointment of Municipal Alliance Committee 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 Lorraine Gauli-Rufo and Amy Tufaro be re-appointed as members of the Alliance for Substance Abuse Prevention Committee for a three-year term, effective January 1, 2016 and terminating December 31, 2018

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

- (d) To consider resolution concerning re-appointment of CATV Committee member

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 Michael Grabas be re-appointed as a member of the CATV Committee for a three-year term, effective January 1, 2016 and terminating December 31, 2018.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

(e) To consider resolution concerning approval of raffle application – CG Elks Club

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

WHEREAS an application for a raffle license has been received from:

APPLICANT

Cedar Grove Elks Lodge #2237
405 Bowden Rd.
Cedar Grove, NJ 07009

EVENT, DATE, TIME, AND PLACE

Off-Premise 50/50
April 23, 2016 at 2:00 – 5:30 p.m. at
405 Bowden Rd., Cedar Grove NJ

WHEREAS the fee has been paid, the application has been reviewed by the Township Clerk and found acceptable;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

(f) To consider resolution concerning approval of raffle application – CG Lacrosse Booster Club

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

WHEREAS an application for a raffle license has been received from:

APPLICANT

Cedar Grove Lacrosse Booster Club
17 Old Quarry Rd.
Cedar Grove, NJ 07009

EVENT, DATE, TIME, AND PLACE

Off-Premise Merchandise Raffle
May 25, 2016 at 3:00 p.m. at
90 Rugby Rd., Cedar Grove NJ

WHEREAS the fee has been paid, the application has been reviewed by the Township Clerk and found acceptable;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

- (g) To consider resolution concerning approval of raffle application – St. Vincent Nursing Home Auxiliary

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

WHEREAS an application for a raffle license has been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
St. Vincent Nursing Home Auxiliary Inc. 315 E. Lindsley Rd. Cedar Grove, NJ 07009	On-Premise 50/50 Raffle May 5, 2016 at 12:00 - 3:00 p.m. at 315 E. Lindsley Rd., Cedar Grove NJ

WHEREAS the fee has been paid, the application has been reviewed by the Township Clerk and found acceptable;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

- (h) To consider resolution concerning approval of raffle application – Cedar Grove High School ATP

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

WHEREAS an application for a raffle license has been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
Cedar Grove High School ATP 90 Rugby Rd. Cedar Grove, NJ 07009	On-Premise 50/50 Raffle April 17, 2016 at 7:00 a.m. - 12:00 p.m. at Community Park, Slattery Drive, Cedar Grove NJ

WHEREAS the fee has been paid, the application has been reviewed by the Township Clerk and found acceptable;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does herby approve said application.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

7. NEW BUSINESS

- (a) To consider introduction of Pending Ordinance #16-791, Amending Chapter 55 of the Township Code entitled "Police Department"

The clerk read the Ordinance by title only:

AN ORDINANCE AMENDING CHAPTER 55 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE, ENTITLED "POLICE DEPARTMENT."

WHEREAS, pursuant to N.J.S.A. 40A:14-118, the governing body of a municipality is empowered to create and establish, as an executive and enforcement function of municipal government, a police department; and

WHEREAS, ordinances regulating police departments are subject to modification due to changing needs of a municipality and to enhance the efficiency and effectiveness of the operations of a police department; and

WHEREAS, the Township Council of the Township of Cedar Grove deems it to be in the best interests of the Township of Cedar Grove and the Township of Cedar Grove Police Department to amend the current ordinances regulating the Township of Cedar Grove Police Department.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Cedar Grove, as follows:

The Code of the Township of Cedar Grove, Chapter 55 entitled, "POLICE DEPARTMENT," is hereby amended as follows:

Section 1.

Section 55-1(A)(1) is deleted in its entirety with the following provision replacing it:

(A)The Police Department of the Township heretofore established is hereby continued and shall consist of the following personnel:

- (1) In order of rank, one Chief of Police, five Lieutenants, five Sergeants and 20 police patrol officers. Such appointees, following a satisfactory probationary period as set forth in § 52-23 of the Code of the Township of Cedar Grove, shall then become regular and

permanent members of the Police Department as provided in N.J.S.A. 40:47.5.

Section 2.

All ordinances of the Township of Cedar Grove which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

Section 3.

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Section 4.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Councilman Longo moved that Pending Ordinance #16-791 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of March 21, 2016, seconded by Deputy Mayor Tanella, and passed by the following vote:
 AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo
 NO: None

(b) To consider resolution concerning 2016 pool membership fees

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

WHEREAS, the Township Council did adopt an ordinance on May 20, 1963 providing for the establishment of fees for the Cedar Grove Municipal Swimming Pool; and

NOW, THEREFORE, BE IT RESOLVED that the following fees be established for the Cedar Grove Municipal Swimming Pool for the 2016 season as follows:

	Prior To <u>May 1, 2015</u>	Effective <u>May 1, 2015</u>
Resident Family	\$546.00	\$576.00
Resident Individual	\$390.00	\$421.00
Resident Married Couple/Civil Union		
no Children	\$465.00	\$489.00
Resident Senior Citizen	\$187.00	\$218.00
Resident Senior Citizen- Non Swim	\$ 57.00	\$ 57.00

BE IT FURTHER RESOLVED that non-resident memberships will be limited to one hundred (100). The following non-resident fees are established for 2016:

Non-Resident Family	\$1043.00
Non-Resident Individual	\$ 582.00

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

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 \$331,970.98

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

9. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON OR OFF THE AGENDA CONCERNING TOWNSHIP BUSINESS

Michael Cohen; 319 Little Falls Rd. – Mr. Cohen inquired when the public would be made aware of the content of the Township Attorney's memo regarding Highview Homes.

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 March 7, 2016
2. The general nature of the subject matters to be discussed are two advisory memos regarding Highview Homes LLC and Social Media
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.

10. ADJOURNMENT

Deputy Mayor Tanella moved adjournment of the public council meeting, seconded by Councilman Maffucci, and passed by the following vote:

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

The public meeting adjourned at 7:30 p.m.

JOSEPH CHIUSOLO MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK