

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

SPECIAL PUBLIC MEETING

MINUTES

MARCH 16, 2015

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo

Also Present: Township Manager Tucci, Township Attorney Scrivo, Township Clerk Stutz

Absent: Mayor Longo

The invocation was given by Deputy Mayor Chiusolo followed by the flag salute by Deputy Mayor Chiusolo.

Deputy 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 by fax and on March 3, 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. NEW BUSINESS

- a) To consider introduction of Pending Ordinance #15-779 to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank

The Clerk read the Ordinance by title only:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK
(N.J.S.A 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain expectations; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Cedar Grove in the County of Essex finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$217,835.16 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated, as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Cedar Grove in the County of Essex a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Cedar Grove shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$11,272,969.53 and that the CY 2015 municipal budget for the Township of Cedar Grove be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Councilman Tanella moved that Pending Ordinance #15-779 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of April 6, 2015, seconded by Councilman Zunic, and passed by the following vote:

AYE: Councilman Tanella, Zunic, Deputy Mayor Chiusolo, Mayor O'Toole

NO: None

ABSENT: Mayor Longo

ABSTAIN: Councilman O'Toole

Mayor Longo joined the meeting at 7:05 p.m.

b) To consider Introduction of 2014 Municipal Budget

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

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2015; and

BE IT FURTHER RESOLVED that a summary of said budget be published in the Verona-Cedar Grove Times in the issue of April 2, 2015.

BE IT FURTHER RESOLVED that a Hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 4, 2015 at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons.
General Appropriations for:

1.	Appropriations within "CAPS"	
	(a) Municipal Purposes	\$11,341,125.00
2.	Appropriations excluded from "CAPS"	
	(a) Municipal Purposes	\$ 2,041,277.21
3.	Reserve for Uncollected Taxes	\$ 560,000.00
4.	Total General Appropriations	\$13,942,402.21
5.	Less Anticipated Revenues Other Than Current Property Tax	\$ 3,907,218.84
6.	Difference: Amount to be raised by taxes	
	(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$ 9,291,116.35
	(b) Addition to Local District School Tax	
	(c) Minimum Library Tax	\$ 744,067.02

Councilman Tanella moved approval of the resolution, seconded by Councilman Zunic, and passed by the following vote:

AYE: Councilman Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

ABSTAIN: Councilman O'Toole

The Township Manager provided an overview of the 2015 Municipal Budget. Mr. Tucci advised that the total general appropriation for 2015 is \$13,942,402, the amount to be raised by taxation is \$9,291,116, and is \$75,209 below the maximum allowable 2% CAP, which is \$9,366,325. Mr. Tucci noted other factors outside the Township's control that continue to drive the budget. Additionally, the harsh winter, increase in debt service and water revenue deficit impacted this year's budget. The Manager further noted that the proposed local tax rate of \$0.456 compared to \$0.445 in 2014 represents approximately a \$50.58 increase in the municipal portion of the tax bill based on the average assessed value of \$463,900.

c) To consider Introduction of 2015 Solid Waste Collection District Budget

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

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Solid Waste Collection District Budget for the year 2015 and

BE IT FURTHER RESOLVED that a summary of said budget be published in the Verona-Cedar Grove Times in the issue of April 2, 2015; and

BE IT FURTHER RESOLVED that a Hearing on the Budget and Tax Resolution will be held at the Municipal Building on May 4, 2015 at 7:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2015 may be presented by taxpayers or other interested persons;

General Appropriations for:

Total Solid Waste Collection District Appropriations	\$ 1,771,383.00
Amount to be raised by Taxation for Support of Solid Waste Collection District	\$ 1,536,424.00

Councilman Zunic moved approval of the resolution, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilman Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

ABSTAIN: Councilman O’Toole

d) To consider resolution concerning deferral of school tax levy

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

WHEREAS, the Local School District Tax for the year July 1, 2014 to June 30, 2015 was raised in the 2014 Tax Levy in the sum of \$25,693,226.00 ; and

WHEREAS, the statutes permit the deferral of the cash liability of such School Tax up to fifty (50%) of the School Tax Levy or \$12,846,613.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that the Deferred School Tax for the Local School District be increased from the sum of \$12,596,982.00 which was deferred as of December 31, 2013 to the sum of \$12,846,613.00.

BE IT FURTHER RESOLVED that the certified copies of this resolution be filed with the Director of the Division of Local Government Services.

Councilman O’Toole moved approval of the resolution, seconded by Councilman Zunic, and passed by the following vote:

AYE: Councilman O’Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

e) To consider resolution concerning of amusement device license renewal

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

WHEREAS the following business has applied for renewal of their Amusement Device License for 2015:

Down Neck LLC	Video Games and Juke Box
t/a Lombardi’s Bar & Restaurant	

WHEREAS the application has been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, and Police Department have all made inspections and certify that the above locations comply with local ordinances;

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to renew the license of the above named establishment.

Councilman Zunic moved approval of the resolution, seconded by Councilman O’Toole, and passed by the following vote:

AYE: Councilman O’Toole, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

ABSTAIN: Councilman Tanella

- f) To consider resolution concerning approval of raffle license – St. Vincent’s 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 applications for a raffle license have been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
St. Vincent Nursing Home Auxiliary 315 E. Lindsley Rd. Cedar Grove NJ 07009	On-premise 50/50 draw raffle on May 14, 2014 at 12:00 – 3:00 p.m. 315 E. Lindsley Rd., Cedar Grove NJ
St. Vincent Nursing Home Auxiliary 315 E. Lindsley Rd. Cedar Grove NJ 07009	On-premise Merchandise draw raffle on May 14, 2014 at 12:00 – 3:00 p.m. 315 E. Lindsley Rd., Cedar Grove NJ

WHEREAS the fees have been paid, the applications 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.

Councilman Zunic moved approval of the resolution, seconded by Councilman O’Toole, and passed by the following vote:

AYE: Councilman O’Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

- g) To consider resolution concerning assessment of lien

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, Essex County, New Jersey, that having found costs set forth below to be correct pursuant to Section 100-8 of the Code of the Township of Cedar Grove such costs are hereby assessed against the properties listed below and shall constitute a lien upon said lands, which shall be added to and become and form a part of the taxes next to be assessed and levied upon said lands.

<u>Block</u>	<u>Lot</u>	<u>Property Owner/Location</u>	<u>Property Maintenance Costs Assessed</u>
33	3	Edith Ercolano 27 Ridge Road Cedar Grove, NJ 07009	\$646.88

Councilman O'Toole moved approval of the resolution, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

3. 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 \$2,513,923.85

Councilman O'Toole moved adoption of the resolution, seconded by Councilman Tanella, and passed by the following vote:

AYE: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

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

Mayor Longo opened this portion of the meeting to anyone wishing to be heard on any item on the agenda.

Rein Emrich; 23 Greendale Rd. – Mr. Emrich requested an explanation of the introduced ordinance and CAP limits. Mr. Emrich thanked Councilman O'Toole for his service to the Township.

Michael Maffucci; 38 Briarhill Rd. – Mr. Maffucci commended the Memorial Middle School students for participation in the TREPS program.

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

5. ADJOURNMENT

Deputy Mayor Chiusolo moved adjournment of the meeting, seconded by Councilman O'Toole, and passed by the following vote:

AYE: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo

NO: None

The meeting adjourned at 7:15 p.m.

E. ROMEO LONGO MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK