

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

**COUNCIL STAFF MEETING                      MINUTES                      MARCH 16, 2015  
IMMEDIATELY FOLLOWING 7:00 P.M. SPECIAL PUBLIC MEETING**

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

Mayor Longo called the meeting to order at 7:20 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:            Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo  
Also Present: Township Manager Tucci, Township Attorney Scrivo, and Township Clerk Stutz

**2. APPROVAL OF MINUTES**

a) Staff Meeting – February 9, 2015

Deputy Mayor Chiusolo moved approval and release of the minutes as presented, 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

**3. TOWNSHIP MANAGER**

- a) 45 Monroe St. – The Manager provided tax assessment information from the Tax Assessor as was requested
  
- b) NJ Supreme Court COAH Ruling – The Manager deferred explanation of the issue to the Township Attorney
  
- c) Award of Professional Services Contract – Lakewood Ave. Water Main Replacement – The Manager provided the Municipal Engineer's recommendation for award of contract. Councilman O'Toole moved to place a resolution awarding contract as recommended on the next meeting agenda (4/6), seconded by Councilman Zunic and agreed to unanimously.
  
- d) Tax Bill Penalty Fee Waiver Request – The Manager provided the Finance Director's recommendation concerning a request for waiver of tax interest charge for Block 251 Lot 51. There was consensus to concur with the Finance Director's recommendation to waive the charge.

**4. TOWNSHIP ATTORNEY** – Attorney Scrivo referred to a proposed tax settlement and requested authorization to approve the settlement. Councilman O’Toole moved to approve the settlement, seconded by Deputy Mayor Chiusolo and passed by the following vote:

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

NO: None

ABSTAIN: Councilman Tanella

Attorney Scrivo noted the recent Supreme Court decision that remands all COAH decisions to the Court. Attorney Scrivo requested an executive session to discuss potential litigation matter regarding the Supreme Court decision. The Township Attorney explained that the decision resulted from COAH’s violation of the Court imposed deadline to act and adopt 3<sup>rd</sup> round COAH regulations. Attorney Scrivo explained that the Court has now seized implementation of the Mount Laurel doctrine from COAH and has directed trial courts to now develop and implement affordable housing policy and act on pending petitions. Attorney Scrivo explained the process established by the Court and relevant time frames. Attorney Scrivo advised that a municipality seeking third round certification must file a declaratory action in the Law Division between June 8 and July 8, 2015 to afford itself continued protection from builder remedy lawsuits.

**5. TOWNSHIP CLERK** – The Clerk reported that four candidates filed petitions to run for two positions; Harry J. Kumburis, Terence B. Lowe, Michael Maffucci and Peter H. Tanella.

## **6. COUNCIL REPORTS**

Councilman Zunic commended middle school students for participation in the TREPS program.

## **7. PUBLIC COMMENT**

Mayor Longo opened this portion of the meeting to anyone wishing to be heard. There being no one present wishing to be heard, Mayor Longo 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 March 16, 2015.
2. The general nature of the subject matters to be discussed are potential litigation regarding COAH Supreme Court decision and potential acquisition of property.

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 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

## **8. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:40 p.m. by acclaim.