

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

**COUNCIL STAFF MEETING**

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

**APRIL 20, 2015**

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

Mayor Longo 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: 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) Executive Session – March 2, 2015

Councilman O'Toole moved approval of the minutes as presented, seconded by Deputy Mayor Chiusolo, and passed unanimously.

**3. TOWNSHIP MANAGER** – The Manager provided a proposed fee schedule for rental of Township recreation facilities (athletic fields at Panther Park, Morgan's Farm and Community Park) for consideration. The Manager explained that the fees are based on other municipalities' fees and will also include the posting of escrow for clean-up. Mr. Tucci noted that should the governing body decide to implement the proposed fee schedule a resolution or ordinance is required. Mr. Tucci referred to memoranda from the Recreation Director relevant to two resolutions on the agenda; fireworks display and concessionaire award for 2015 pool season. The Township Manager announced that Gov. Christie will conduct a Town Hall meeting on Thursday, April 23<sup>rd</sup> at 11:00 a.m. at the Essex County Police Academy facility. Mr. Tucci reported the the Township will receive \$235,000 from the NJDOT 2015 Municipal Aid Program for resurfacing of Commerce Road. Mr. Tucci requested n executive session to discuss salary negotiations for DPW employees (CGPEA).

**4. TOWNSHIP ATTORNEY** – Attorney Scrivo referred to a memo requesting authorization to defend numerous tax appeals. Deputy Mayor Chiusolo moved to concur with the request, seconded by Councilman Zunic passed unanimously.

**5. TOWNSHIP CLERK** – The Clerk reported that two letters of interest were received for the Planning Board vacancy. There was consensus to schedule interviews for executive session on 5/4 at 6:45 p.m. The Clerk also noted a letter of interest received for the vacancy on the Library Board of Trustees.

## 6. COUNCIL REPORTS

Councilman O'Toole announced that Congressman Frelinghuysen will host a District Academy Night on May 11<sup>th</sup> from 7:00 – 9:00 p.m. at West Essex Regional High School to raise student awareness of opportunities available at U.S. Military, Naval, Air Force, Merchant Marine and Coast Guard Academies. Councilman O'Toole also suggested to share the information with the Board of Education, to which the governing body agreed.

Deputy Mayor Chiusolo cautioned residents to be aware of poor road conditions as a result of the severe winter. Deputy Mayor Chiusolo noted that DPW is working to repair as quickly as possible.

## 7. NEW BUSINESS

- a) To consider introduction of Pending Ordinance #15-780, Adopting Addendum No. 1 to the Cedar Grove Redevelopment Plan – Hilltop Property

Mayor Longo requested to table consideration of this agenda item pending further discussion. Councilman Zunic requested to see County commitments in writing before considering the ordinance. Councilman Zunic moved to table introduction of the ordinance, seconded by Councilman Tanella, and passed unanimously. There was consensus to discuss at the next meeting.

- b) To consider resolution concerning amendment of 2015 temporary budget

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

**WHEREAS**, an emergent condition has arisen with respect to providing temporary appropriations sufficient to cover commitments made during the period of January 1, 2015 to the date of adoption of the annual budget and no adequate provision has been made in the 2015 temporary appropriations to cover such commitments, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose of covering such commitments; and

**WHEREAS**, the total emergency temporary resolutions adopted in the year 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A 40A:4-20) including this resolution total \$8,097,137.00 for the Current Fund Budget, \$1,428,393.00 for the Water Utility Budget, \$1,719,836.00 for the Sewer Utility Budget, and \$376,083.00 for the Swimming Pool Utility Budget;

**NOW, THEREFORE, BE IT RESOLVED** (not less than two-thirds of all of the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be made as follows:

<u>Appropriations</u>	<u>Account No.</u>	<u>Salaries And Wages</u>	<u>Other Expenses</u>
<b>CURRENT FUND</b>			
<u>General Government</u>			
Township Council	1-105	---	\$ 2,000.
Township Manager	1-106	\$ 50,000.	3,000.
Township Clerk	1-107	30,000.	5,000.
Elections	1-110	---	20,000.
Treasurer-Controller	1-115	50,000.	8,000.
Assessment of Taxes	1-120	35,000.	8,000.
Annual Audit	1-154	---	4,000.
Collection of Taxes	1-130	25,000.	1,000.
Legal Services	1-140	---	35,000.
Municipal Court	1-145	45,000.	20,000.
Municipal Prosecutor	1-150	---	4,000.
Public Defender	1-150	---	2,000.
Engineering Services	1-155	---	---
Bldgs. & Grounds	1-160	10,000.	5,000.
Planning Board	1-165	5,000.	3,000.
Zoning Board	1-170	5,000.	1,000.
Shade Trees	1-175	---	3,000.
Environmental Comm.	1-180	---	---
Ins. Group Insurance	1-190	---	250,000.
Ins. – Workman's Comp.	1-190	---	30,000.
Ins. – Other Premiums	1-190	---	30,000.
<u>Public Safety</u>			
Fire	1-205	---	60,000.
Police	1-210	800,000.	130,000.
Emergency Management	1-220	2,000.	---
Inspection of Buildings	1-255	30,000.	25,000.
Inspection of Plumbing	1-256	4,000.	1,000.
Electrical Inspector	1-259	4,000.	1,000.
<u>Street and Roads</u>			
Road Repair & Maint.	1-305	60,000.	2,000.
Equip. Repair & Maint.	1-310	10,000.	2,000.
Snow Removal	1-315	62,000.	130,000.
Vehicle Maintenance	1-650	---	60,000.
<u>Health &amp; Welfare</u>			
Board of Health	1-510	20,000.	30,000.
Senior Citizen Trans.	1-516	10,000.	10,000.
Animal Control	1-511	---	3,000.

<u>Appropriations</u>	<u>Account No.</u>	<u>Salaries And Wages</u>	<u>Other Expenses</u>
<u>Recreation &amp; Education</u>			
Library	1-601	60,000.	60,000.
Parks & Playgrounds	1-605	50,000.	5,000.
Celebration Public Events	1-610	---	1,000.
Recreation	1-615	90,000.	60,000.
<u>Miscellaneous</u>			
Contingency	1-701	---	2,000.
<u>Utility Expenses</u>			
Utility Expenses and Bulk Purchases	1-820	---	200,000.
<u>Statutory Expenditures</u>			
Social Security	1-901	---	40,000.
Police & Firemen's Retirement	1-901		860,000.
Public Employees Retirement	1-901	-----	142,000.
<u>Debt Service</u>			
	1-805	---	1,000.
<u>State &amp; Federal Programs</u>			
Municipal Drug Alliance	1-1212	3,000.	15,000.
Non-Public Nursing	1-0509	---	12,000.
<u>Water Utility Fund</u>			
Operating Appropriations	3-4100		\$240,000.
Public Employees Retirement	3-4220		-----
Total Water Utility			<u>\$240,000.</u>
<u>Sewer Utility Fund</u>			
Operating Appropriations	4-5100	\$ 420,000.	\$400,000.
Public Employees Retirement	4-5220	-----	110,000.
Total Sewer Utility		<u>\$ 420,000.</u>	<u>\$510,000.</u>
<u>Swimming Pool Utility Fund</u>			
Operating Appropriations	5-6100	\$ 150,000.	\$ 20,000.
Public Employees Retirement	5-6220	-----	14,000.
Total Swim Pool Utility		<u>\$150,000.</u>	<u>\$34,000.</u>

- That said emergency temporary appropriations have been provided for in the 2015 municipal budgets of Current Fund, Water, Sewer, and Swimming Pool Utility Budgets.

- 3. That one certified copy of this resolution be filed with the Director of Local Government Services

Councilman Zunic moved adoption 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

- c) To consider resolution concerning 2015 fireworks display

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, that it does hereby approve a Fireworks Display to be furnished and executed by the Garden State Fireworks of Millington, New Jersey, at the Cedar Grove High School Field on Wednesday July 1, 2015 with a rain date of Thursday July 2, 2015.

INTRODUCED BY: Councilman O’Toole

SECONDED BY: Councilman Tanella

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

AYE: Councilman O’Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo  
 NO: None

- d) To consider resolution authorizing execution of pool concession agreement

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

**WHEREAS**, a sole proposal for the operation of the Cedar Grove Community Pool Concession Service was received and publicly read by the Township Clerk on April 2, 2015 as follows:

<b>BIDDER</b>	<b>OPTION #1</b>	<b>OPTION #2</b>
	1 year contract	2 year contract
Bagelwich Bagel Bakery, Verona, NJ	\$ 18,501.50	\$38,751.50

**WHEREAS**, the Director of the Department of Recreation has reviewed the proposal; and

**WHEREAS**, the Director of the Department of Recreation recommends award of a one year contract.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that the Community Pool Food Concession Service for the 2015 season be awarded to Bagelwich Bagel Bakery, Verona, NJ, for \$18,501.50.

**BE IT FURTHER RESOLVED** that the proper township officials be directed to execute a contract on behalf of the township.

Deputy Mayor Chiusolo moved adoption 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 awarding contract for professional engineering design services – Rehabilitation of Club Way Water Tank

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

**WHEREAS**, The Township has a need for professional engineering design services for the Rehabilitation of Club Way Water Tank project; and

**WHEREAS**, pursuant to advertising duly made for a fair and open contract in accordance with N.J.S.A. 19:44A-20.1 et. seq., proposals were received and publicly opened by the Township Clerk on March 19, 2015 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Hatch Mott MacDonald	\$ 68,000.00
CP Engineers	\$ 77,200.00
H2M Architects & Engineers	\$187,200.00

**WHEREAS**, the Municipal Engineer and the Township Manager have recommended that a contract for the above referenced professional services be awarded to Hatch Mott McDonald; and

**WHEREAS**, funds are now available for this purpose in Bond Ordinance No. 12-751 .

**NOW, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, as follows:

1. The Township Manager is hereby authorized and directed to execute an agreement with Hatch Mott McDonald of Millburn, New Jersey, for an amount not to exceed \$ 68,000.00 in accordance with the proposal dated March 16, 2015.
2. This agreement is awarded as a "Professional Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because of the technical nature of the professional services required for this project; and
3. A notice of this agreement shall be published in the Verona-Cedar Grove Times as required by law.

INTRODUCED BY: Councilman  
SECONDED BY: Councilman Zunic

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

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

NO: None

f) To consider resolution concerning submission of 2014 Tonnage Grant Application

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

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS**, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS**, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS**, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS**, a resolution authorizing this municipality to apply for the 2014 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS**, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that Cedar Grove hereby endorses the submission of the year 2014 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Thomas Tucci, Township Manager, to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Councilman Zunic 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

- g) To consider resolution concerning approval of raffle application – CG Chamber of Commerce

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

**WHEREAS**, application for raffle license has been received from:

**APPLICANTS**

Cedar Grove Chamber of Commerce  
579 Pompton Ave.  
Cedar Grove NJ 07009

**EVENTS, DATES TIMES & PLACE**

Off-Premise 50/50 raffle  
to be held on June 10, 2015 1:00 pm at  
792 Pompton Ave.  
Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and 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.

INTRODUCED BY:

SECONDED BY:

Deputy Mayor Chiusolo moved adoption 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

**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 \$ 3,753,055.20.

Councilman Zunic moved adoption 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



## 9. PUBLIC COMMENT

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

Rein Emrich; 23 Greendale Rd. – Mr. Emrich expressed concerns regarding adequacy of sound system for Council meetings. Mr. Emrich requested explanation of CAP bank in the budget process. The Manager offered to meet with Mr. Emrich during working hours to provide an explanation.

Harry Kumburis; 41 The Glen – Mr. Kumburis inquired about tree removal and ancillary work being done on the reservoir property. The Manager advised that a stop work order was issued for the tree removal. Mr. Tucci further noted that there is scheduled court date, 4/22 at 1:00 p.m. to adjudicate the summons.

There being no one else 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 April 20, 2015.
2. The general nature of the subject matter to be discussed is DPW salary negotiations.
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.

Deputy Mayor Chiusolo 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

## 10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:30 p.m. by acclaim.