

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

**PUBLIC MEETING**

**MINUTES**

**MAY 4, 2015**

**1. ROLL CALL, INVOCATION AND FLAG SALUTE**

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

Present: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo  
Also Present: Township Manager Tucci, Attorney Zielinski for Township Attorney Scrivo, and Township Clerk Stutz

The invocation was given by Rev. David Snyder of Community Church, followed by the flag salute led by Mayor Longo.

Mayor Longo 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 January 1, 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. APPROVAL OF MINUTES**

(a) To consider approval of special public meeting minutes of March 16, 2015

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

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

NO: None

(b) To consider approval of regular public meeting minutes of April 6, 2015

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

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

NO: None

ABSTAIN: Deputy Mayor Chiusolo

**3. PUBLIC HEARING**

(a) To consider adoption of 2015 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 by the Mayor and Council of the Township of Cedar Grove, County of Essex that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the authorization of the amount of: \$13,942,402.21

**GENERAL REVENUE**

|                                   |                 |
|-----------------------------------|-----------------|
| Surplus Anticipated               | \$ 1,000,000.00 |
| Miscellaneous Revenue Anticipated | \$ 2,397,218.84 |
| Receipts from Delinquent Taxes    | \$ 510,000.00   |

|   |                        |
|---|------------------------|
| <b>AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES</b> | <b>\$ 9,291,116.35</b> |
|---|------------------------|

|   |                      |
|---|----------------------|
| <b>AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY</b> | <b>\$ 744,067.02</b> |
|---|----------------------|

|                      |                         |
|----------------------|-------------------------|
| <b>TOTAL REVENUE</b> | <b>\$ 13,942,402.21</b> |
|----------------------|-------------------------|

Mayor Longo opened the public hearing on this item. There being no one present wishing to be heard, Mayor O’Toole closed the public hearing.

Deputy Mayor Chiusolo moved adoption 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

(b) To consider adoption 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 by the Township Council of the Township of Cedar Grove, County of Essex, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount \$1,771,383.00.

Mayor Longo opened the public hearing on this item. There being no one present wishing to be heard, Mayor Longo closed the public hearing.

Deputy Mayor Chiusolo moved adoption 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

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

#### 5. REPORTS OF TOWNSHIP OFFICIALS

- (a) Township Manager – The Manager noted a memo from the Municipal Engineer concerning award of bid for the reconstruction of Cedar Grove Parkway. Councilman Tanella moved to concur with the Municipal Engineer’s recommendation for award to the apparent low bidder, seconded by Councilman Zunic, and agreed to unanimously. For informational purposes the Manager cited several streets and the Recycling Center area recently paved. Mr. Tucci thanked all participants of the recent Arbor Day celebration.
- (b) Township Clerk – The Clerk noted the upcoming municipal election on May 12<sup>th</sup>. Ms. Stutz stated that there are three candidates vying for two council seats. Ms. Stutz further advised that polls are open from 6:00 a.m. until 8:00 p.m.
- (c) Township Attorney - Attorney Zielinski provided opinion regarding removal of a deed restriction from 45 Monroe St. Attorney Zielinski noted a memo pertaining to the proposed Addendum to the Hilltop Redevelopment Plan and related ordinance. Regarding the deed restriction issue, Councilman Tanella moved to concur with the Township Attorney’s recommendation, seconded by Councilman O’Toole and agreed to unanimously.
- (d) Other Reports – Hilltop Property Redevelopment Plan Amendment

Mayor Longo stated that the Hilltop property, including the former Essex County Hospital Center property, has been a long standing and ongoing issue for the Township. Mayor Longo provided a brief update on the current status of the Cedar Grove portion of the Hilltop property, specifically a developer’s (K. Hovnanian) request to amend the Redevelopment Plan to accommodate a proposed development plan for 460 town homes, rather than a 1,000 unit CCRC.

Deputy Mayor Chiusolo urged residents to vote in the May 12<sup>th</sup> municipal election. Deputy Mayor Chiusolo also noted that May 11 – 17 is National Police Week. Deputy Mayor commented that he has heard misinformation that has been circulated about the proposed redevelopment plan and Hilltop property status. Deputy Mayor Chiusolo explained that the Township does not own the Hilltop property, but rather has been made to have a part in the settlement of litigation between Essex County and K. Hovnanian regarding the sale of the property. Deputy Mayor Chiusolo explained the chronology of the ongoing litigation between the parties. Deputy Mayor Chiusolo stated that the County and K. Hovnanian have now resolved the litigation, that the County will transfer ownership to K. Hovnanian, and the Township is now faced with the difficult decision of amending the redevelopment plan. Deputy Mayor Chiusolo commented that he is not happy about the decision that has to be made, but when presented with all the facts from the Township’s legal experts, amendment of the redevelopment plan is the lesser of the evils.

Councilman Zunic stated that a decision has to be made because of other factors/issues that are not within the control of Township Council. Councilman Zunic explained that the Council must look at the consequences of both sides of the decision and act on what is best for the Township.

Councilman Tanella also concurred that a decision must be made. Councilman Tanella also stated his preference for no development of the Hilltop property. Councilman Tanella emphasized the potential for serious consequences should no action be taken.

Mayor Longo opened this portion of the meeting to anyone wishing to be heard. The following residents commented and/or asked questions pertaining to the proposed Hilltop Property Redevelopment Plan Amendment:

Michael Maffucci; 38 Briarhill Rd. – Mr. Maffucci stated his disappointment that Parcel 5 of the Hilltop property will not be dedicated as open space by the County. Mr. Maffucci further stated that he understands that the governing body is at a crossroads and must make a decision regarding the redevelopment plan for the Hilltop property. Mr. Maffucci also inquired the timeline for pothole repair.

Rein Emrich; 23 Greendale Rd. – Mr. Emrich requested clarification of the timing of the County decision to convey Parcel 5 to K. Hovnanian. Deputy Mayor Chiusolo addressed Mr. Emrich's questions regarding the proposed rehabilitation of South End fire house by K. Hovnanian as part of the proposed redevelopment plan amendment.

Cheryl Brown; 14 Briarhill Rd. – Ms. Brown raised questions regarding affordable housing and open space assurances.

Jerry Havel; 115 Myrtle Ave. – Mr. Havel suggested that the governing body find other means to provide COAH units to meet the Township's obligations rather than rely on the proposed redevelopment plan from K. Hovnanian.

Karen Hagen; 371 Fairview Ave. – Ms. Hagen expressed traffic concerns regarding the proposed Hilltop property redevelopment plan. Ms. Hagen also noted her disapproval of the plan and related circumstances.

James Hudson; 47 W. Bradford Ave. – Mr. Hudson noted concerns regarding the density of the proposed redevelopment plan and resulting environmental and traffic impact and municipal taxes.

Peter Danzo; 63 Winding Way – Mr. Danzo objected to the proposed redevelopment plan.

Rein Emrich; 23 Greendale Rd. – Mr. Emrich inquired the process/procedure involved in moving forward with the proposed development of Hilltop property. Deputy Mayor Chiusolo explained that the first step is to amend the redevelopment plan, which requires introduction of an ordinance, followed by a public hearing, and final adoption. Mr. Emrich expressed concern regarding the prolific deer problem and requested that the governing body enact an ordinance to prohibit the feeding of deer and wild turkeys on private property.

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

Councilman O’Toole thanked Township Manager Tucci and Finance Director William Homa for their fiscal responsibility reflected in the 2015 municipal budget. Councilman O’Toole reminded residents of the upcoming Memorial Day holiday and purpose; to remember and honor all servicemen who lost their lives during service to the country. Councilman O’Toole recounted the numbers of losses of various wars.

Councilman Zunic suggested that the Township research the feasibility of an ordinance to prohibit the feeding of deer and wild turkey.

Mayor Longo announced appointment of Norma Porter to a vacancy on the Library Board of Trustees.

**6. CONSENT AGENDA**

- (a) To consider resolution concerning approval of raffle application – Somerset Hills Learning Institute

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**

**EVENTS, DATES TIMES & PLACE**

Somerset Hills Learning Institute  
1810 Burnt Mills Rd.  
Bedminster NJ 07921

Off-Premise draw raffle  
to be held at October 16, 2015, 11:00 pm  
The Grove  
691 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.

Councilman Tanella 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

- (b) To consider resolution concerning approval of raffle application – Macedonian Orthodox Church

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**

**EVENTS, DATES TIMES & PLACE**

Macedonian Orthodox Church  
1050 Pompton Ave.  
Cedar Grove NJ 07009

Off-Premise 50/50 raffle  
to be held at September 20, 2015, 6:00 pm  
Macedonian Orthodox Church  
1050 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.

Councilman Tanella 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 approval of raffle application – St.Catherine of Siena Church

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**

**EVENTS, DATES TIMES & PLACE**

St. Catherine of Siena Church  
339 Pompton Ave.  
Cedar Grove NJ 07009

Off-Premise 50/50 raffle  
to be held at October 17, 2015, 9:00 pm  
at Siena Hall  
39 E. Bradford 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.

Councilman Tanella 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

**7. 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 \$3,296,695.67

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

Mayor Longo previously opened this portion of the meeting to anyone wishing to be heard following Council comments regarding the Hilltop Property Redevelopment Plan Amendment.

**9. ADJOURNMENT**

Deputy Mayor Chiusolo moved adjournment of the public council 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 public meeting adjourned at 8:55 p.m.

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JOSEPH CHIUSOLO      MAYOR

ATTEST:

\_\_\_\_\_  
KATHLEEN R. STUTZ      MUNICIPAL CLERK