

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

**COUNCIL STAFF MEETING**

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

**MAY 18, 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) Staff Meeting – March 16, 2015

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

b) Executive Session – March 15, 2015

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

c) Staff Meeting – April 20, 2015

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

d) Executive Session – April 20, 2015

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

**3. TOWNSHIP MANAGER**

a) Personnel Policies & Procedures Manual – The Manager provided a manual that serves as the prototype for NJIIF. The Manager requested that the governing body consider adopting the manual for Township employees. Mr. Tucci also noted that should the manual be adopted subsequent training for employees is required. The Manager reported the Township's receipt of Clean Communities grant funding in the amount of \$23,522.

**4. TOWNSHIP ATTORNEY – No report**

**5. TOWNSHIP CLERK – The Clerk certified the results of the May 12<sup>th</sup> municipal election:**

I, Kathleen R. Stutz, Township Clerk of the Township of Cedar Grove, County of Essex, New Jersey, do hereby certify that the following is a true and correct canvass of the voters of the Township of Cedar Grove at the Municipal Election held on Tuesday, May 12, 2015.

I certify that the number of votes opposite the names of the candidates is the correct number of votes received by said candidate from the legally qualified voters of the Township of Cedar Grove in said Municipal Election.

**FOR TWO (2) COUNCILMAN-AT-LARGE SEATS FOR  
FULL FOUR YEAR TERMS EXPIRING JULY 1, 2019**

|                          |            |
|--------------------------|------------|
| <b>Peter H. Tanella</b>  | <b>881</b> |
| <b>Harry J. Kumburis</b> | <b>758</b> |
| <b>Michael Maffucci</b>  | <b>746</b> |

Total Number of Registered Voters: 8782

Total Number Voted in this Election: 1415

Total Number Needed by Top Vote-Getter (50% plus 1 of total votes cast): 708

Total Number Received by Top Vote-Getter: 881

The elected Councilmen-At-Large for a four year term for the Township of Cedar Grove are as follows:

|                          |                       |
|--------------------------|-----------------------|
| <b>Peter H. Tanella</b>  | <b>47 Ridge Court</b> |
| <b>Harry J. Kumburis</b> | <b>41 The Glen</b>    |

## 6. COUNCIL REPORTS

Councilman Zunic extended congratulations to re-elected Councilman Peter Tanella and newly elected Councilman Harry Kumburis.

Councilman O'Toole announced the upcoming Historical Society meeting. Councilman O'Toole also announced that the Elks Club will host a picnic after the Memorial Day Parade at the Elks Club.

Deputy Mayor Chiusolo also offered congratulations to the successful candidates of the municipal election. Deputy Mayor Chiusolo reminded residents of the meaning/purpose of Memorial Day.

## 7. NEW BUSINESS

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

The Clerk read the Ordinance by title only:

**AN ORDINANCE ADOPTING ADDENDUM NO. 1 TO THE CEDAR GROVE REDEVELOPMENT PLAN – HILLTOP PROPERTY**

**WHEREAS**, on January 22, 2001, the Township Council (the “Council”) of the Township of Cedar Grove (“Township”) designated an area of the Township consisting of approximately 300 acres known as the Hilltop Property as an area in need of redevelopment; and

**WHEREAS**, the Hilltop Property included an area of approximately 139 acres consisting of Block 70, Lots 1, 3 and 4, Block 80, Lots 1.01 and 1.02, and Block 100, Lot 1.01 as shown on the tax assessment map of the Township, (the described property hereinafter is referred to as the “2015 Property”); and

**WHEREAS**, the Council, by Ordinance Number 01-552, adopted March 19, 2001, and Ordinance Number 01-563 adopted June 4, 2001, enacted a redevelopment plan entitled the Cedar Grove Redevelopment Plan – Hilltop Area (the “Redevelopment Plan”) as the redevelopment plan for the entire Hilltop Property; and

**WHEREAS**, the Council, by Ordinance Number 04-619, adopted December 6, 2004 enacted on amendment to the Cedar Grove Hilltop Redevelopment Plan Ordinance; and

**WHEREAS**, by Resolution adopted January 12, 2015, the Council referred a proposed amendment to the Redevelopment Plan concerning the 2015 Property to the Township of Cedar Grove Planning Board (the “Board”) for review and recommendations, entitled “Hilltop Redevelopment Plan Addendum No. 1” (“Draft Addendum No. 1”) pursuant to N.J.S.A. 40A:12A-7; and

**WHEREAS**, the Board conducted hearings on Draft Addendum No. 1 at its meetings of February 17, 2015 and February 25, 2015 at which time testimony was presented to the Board by a representative of K. Hovnanian at Cedar Grove V, LLC, the redeveloper of the 2015 Property, (the “Redeveloper”) and a planner, traffic engineer, fiscal impacts expert, and real estate market expert retained by the Redeveloper; and

**WHEREAS**, the Board received reports from the traffic engineer, fiscal expert, and real estate market expert; and

**WHEREAS**, the Board received a report and testimony from its planning consultant, Jason L. Kasler; and

**WHEREAS**, the Board members, the Board’s professionals and members of the public were afforded the opportunity to question the representatives of the Redeveloper; and

**WHEREAS**, the Board issued a memorandum to the Council dated February 25, 2015 (the “Memorandum”) as a report on Draft Addendum No. 1 pursuant to N.J.S.A. 40A:12A-7; and

**WHEREAS**, the Memorandum describes four (4) specific inconsistencies between the Draft Addendum No. 1 and the Master Plan of the Township of Cedar Grove (the “Master Plan”); and

**WHEREAS**, the Memorandum includes six (6) specific recommendations with respect to the amendment of the Redevelopment Plan; and

**WHEREAS**, the Memorandum identifies, separate from the recommendations, four (4) other concerns; and

**WHEREAS**, in response to the Memorandum, the Redeveloper has caused the Draft Addendum No. 1 to be revised, a copy of which revision is attached hereto and incorporated herein by reference as Exhibit A (the “Final Addendum No. 1”); and

**WHEREAS**, final Addendum No. 1 describes the inconsistencies reported in the Memorandum and includes detailed reasons to support adoption of the Final Addendum No. 1, notwithstanding the inconsistencies with the Master Plan; and

**WHEREAS**, the Council accepts and adopts the (i) statement of inconsistencies set forth in the Memorandum and Final Addendum No. 1, and (ii) the reasons supporting adoption of Final Addendum No. 1 set forth in Final Addendum No. 1, notwithstanding the inconsistencies with the Master Plan; and

**WHEREAS**, the Final Addendum No. 1 satisfactorily addresses the six (6) recommendations set forth in the Memorandum; and

**WHEREAS**, the Council has taken notice of and given consideration to the other concerns identified in the Memorandum; and

**WHEREAS**, the implementation of Final Addendum No. 1 will facilitate the addition of approximately 77.5 acres of public open space as opposed to the full development of the 2015 Property as provided for in the Redevelopment Plan, for the benefit of the residents of the County of Essex including the residents of the Township; and

**WHEREAS**, the implementation of Final Addendum No. 1 will facilitate the construction of approximately 90 affordable housing units which will make a substantial contribution towards the Township’s New Jersey state constitutional obligation to provide realistic opportunities for affordable housing; and

**WHEREAS**, the Council has reviewed and considered the Final Addendum No. 1 and the Memorandum, and the Council wishes to adopt the Final Addendum No. 1, as attached hereto as Exhibit A; and

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

**Section 1.**

The Council directs the Township Clerk to record in the minutes of the meeting of the Council immediately following the public hearing, (i) the statement of inconsistencies set forth in the Memorandum and Final Addendum No. 1, and (ii) the reasons supporting adoption of Final Addendum No. 1, notwithstanding the inconsistencies with the Master Plan.

**Section 2.**

The Hilltop Redevelopment Plan Addendum No. 1 attached hereto as Exhibit A is hereby adopted.

**Section 3.**

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 4.**

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 5.**

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

There was consensus to open this portion of the meeting to the public following comments from the Township Attorney, and Essex County Executive.

The Township Attorney provided a chronology of Hilltop property issues that has resulted in the Township Council having to take action on proposed redevelopment plan amendment.

Essex County Executive Joseph DiVincenzo spoke to “set the record straight” regarding ownership of the Hilltop property. The County Executive stated that the County still owns Parcel 5 of the Hilltop property, which is the subject of litigation between the County and K. Hovnanian. County Executive stated that settlement of that litigation has not yet occurred and is contingent on the actions of Township Council. The County Executive explained that under the proposed plan, certain acreage will be retained by the County as open space and provide Cedar Grove with a County Park with walking trails similar to those in Verona Park.

Bernadette Rosen; 27 Winding Way – Ms. Rosen commented on the numerous lawsuits filed against the developer K. Hovnanian.

Jerry Havel; 115 Myrtle Ave. – Mr. Havel requested clarification of the status of Parcel 1 and 5 of the Hilltop property.

Sam White; 66 Little Falls Road – Mr. White voiced his objection to the proposal.

James Paganelli; Essex County Legal Council – Mr. Paganelli commented that the ECIA does not object to homes along Fairview Ave.

John Martinelli; 30 Hillside Ave. – Mr. Martinelli read a prepared statement on behalf of residents that set forth concerns of the anticipated adverse effect of the proposed development on the Township and current residents.

Peter Danzo; 63 Winding Way – Mr. Danzo voiced concern regarding the projected 10% population increase to the Township from the proposed development plan. Mr. Danzo also commented that the plan is not consistent with the Township’s Master Plan.

John Martinelli; 30 Hillside Ave. – Mr. Martinelli raised a question on affordable housing.

Nick Meola; 99 Winding Way – Mr. Meola voiced concern regarding need and duration of school busing created by the proposed development plan.

Harry J. Kumburis; 41 The Glen – Mr. Kumburis presented the governing body with a letter requesting that a non-binding referendum be placed on the November ballot regarding the Hilltop property.

Vicky Augustine; 160 Myrtle Ave. – Mrs. Augustine commended the governing body for their efforts regarding the proposed plan.

Michael Maffucci; 38 Briarhill Rd. – Mr. Maffucci voiced his confidence that the Council is acting in the Township's best interest considering all the issues involved.

Sam White; 66 Little Falls Rd. – Mr. White questioned the outcome should the County not sell the Hilltop property to K. Hovnanian.

Joe Russomano; 36 Bortic Rd. – Mr. Russomano expressed his full confidence in the decision of the Council regarding the proposed redevelopment plan amendment.

Councilman Zunic moved that Pending Ordinance #15-780 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 1, 2015, 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

b) To consider introduction of Pending Bond Ord. #15-781 – Sewer Utility Improvements

The Clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS SEWER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$120,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the "Township") as general improvements. For the said Improvements there is hereby appropriated the amount of \$120,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) as this Bond Ordinance authorizes obligations for a purpose which is self-liquidating and deductible from

the gross debt of the Township as set forth in N.J.S.A. 40A2-7(h) of the Local Bond Law of New Jersey, N.J.S.A. 40A:2-1, et. seq. (the "Local Bond Law"). Notwithstanding the foregoing, the appropriation includes the sum of \$6,000 appropriated herein as the down payment (the "Down Payment") under the Local Bond Law from the Sewer Capital Improvement Fund. The \$6,000 for down payment purposes is hereby appropriated and is now available by virtue of a provision in the currently adopted Sewer Utility Budget, or in a previously adopted Sewer Utility Budget, and is currently available for down payment purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$114,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$114,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

| <u>Improvements</u>   | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> | <u>Period of Usefulness</u> |
|---|---|---|-----------------------------|
| 1) Improvements to Digester System, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.   | \$100,000                               | \$ 95,000   | 40 Years                    |
| 2) Various sewer system improvements, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | 20,000                                  | 19,000  | 40 Years                    |
| TOTAL   | \$120,000                               | \$114,000   |                             |

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$114,000.

(c) The estimated cost of the Improvements is \$120,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

## SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

## SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

## SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$114,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.



(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in paragraph (h) of Section 40A:2-7 of the Local Bond Law, and the obligations authorized by this bond ordinance are to be issued for a purpose which is self-liquidating within the meaning and limitation of Section 40A:2-45 of said Local Bond Law and are deductible pursuant to paragraph (c) of Section 40A:2-44 et. seq. of said Local Bond Law from the gross debt of the Township.

#### SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$114,000.

#### SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman O'Toole moved that Pending Ordinance #15-781 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 1, 2015, seconded by Councilman Zunic, and passed by the following vote:  
AYE: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo  
NO: None

- c) To consider introduction of Pending Bond Ord. #15-782 – Water Utility Improvements

The Clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS WATER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$160,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$152,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$160,000, such sum includes the sum of \$8,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down is now available by virtue of provision in the currently adopted Water Utility Budget, or in a previously adopted Water Utility Budget, and is currently available for down payment purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$152,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$152,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

| <u>Improvements</u>  | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> | <u>Period of Usefulness</u> |
|--|---|---|-----------------------------|
| 1) Acquisition of plate compactor, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | \$ 2,200                                | \$ 2,090  | 15 Years                    |

| <u>Improvements</u>   | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> | <u>Period of Usefulness</u> |
|---|---|---|-----------------------------|
| 2) Francisco Pump Station Motor Controls, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | 92,700                                  | 88,065  | 40 Years                    |
| 3) Geological Information System, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.         | 10,000                                  | 9,500   | 10 Years                    |
| 4) Annual System leak inspection, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.         | 15,000                                  | 14,250  | 5 Years                     |
| 5) Water meter replacement, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.               | 20,000                                  | 19,000  | 15 Years                    |
| 6) Acquisition of lawn mower, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.             | 4,800                                   | 4,560   | 5 Years                     |
| 7) Acquisition of snow blower, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.            | 2,800                                   | 2,660   | 5 Years                     |
| 8) Storz Hydrant Connections, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.             | 12,500                                  | 11,875  | 40 Years                    |
| TOTAL   | \$160,000                               | \$152,000   |                             |

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$152,000.

(c) The estimated cost of the Improvements is \$160,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

**SECTION 4:**

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

**SECTION 5:**

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

**SECTION 6:**

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 29.71 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$152,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$7,700 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

#### SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

#### SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$152,000.

#### SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Zunic moved that Pending Ordinance #15-782 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 1, 2015, seconded by Councilman Tanella, and passed by the following vote:

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

NO: None

- d) To consider introduction of Pending Bond Ord. #15-783 – Various General Improvements

The Clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING VARIOUS GENERAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$600,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**SECTION 1:**

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$600,000, such sum includes the sum of \$30,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

**SECTION 2:**

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$570,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

**SECTION 3:**

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

| <u>Improvements</u>   | <u>Appropriation and Estimated Cost</u> | <u>Estimated Maximum Amount of Bonds or Notes</u> | <u>Period of Usefulness</u> |
|---|---|---|-----------------------------|
| 1) Improvements to Panther Park Field, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.        | \$ 2,500                                | \$ 2,375  | 15 Years                    |
| 2) Acquisition of bleachers for Panther Park, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | 55,000                                  | 52,250  | 15 Years                    |

| <u>Improvements</u>  | <u>Appropriation and<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount<br/>of Bonds or Notes</u> | <u>Period of<br/>Usefulness</u> |
|--|---|---|---------------------------------|
| 3) Master Plan Update  | 42,000                                      | 39,900  | 5 Years                         |
| 4) Acquisition of Fire Department safety equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.            | 10,000                                      | 9,500   | 15 Years                        |
| 5) Replacement of Library Bridge, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                              | 60,000                                      | 57,000  | 15 Years                        |
| 6) Acquisition of Fire Department vehicle, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                     | 38,000                                      | 36,100  | 5 Years                         |
| 7) Acquisition and Installation of Network Cable at Town Hall, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | 105,000                                     | 99,750  | 7 Years                         |
| 8) Tree Replanting Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                                    | 40,000                                      | 38,000  | 5 Years                         |
| 9) Road Overlay Program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                                       | 150,500                                     | 142,975   | 10 Years                        |
| 10) Acquisition of safety equipment, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                           | 15,000                                      | 14,250  | 15 Years                        |
| 11) Curb and side-walk replacement program, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                    | 12,000                                      | 11,400  | 10 Years                        |

| <u>Improvements</u>   | <u>Appropriation and<br/>Estimated Cost</u> | <u>Estimated Maximum<br/>Amount<br/>of Bonds or Notes</u> | <u>Period of<br/>Usefulness</u> |
|---|---|---|---------------------------------|
| 12) Acquisition of Fire Department pagers, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.              | 10,000                                      | 9,500   | 5 Years                         |
| 13) Acquisition of Fire Department breathing apparatus, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto. | 8,000                                       | 7,600   | 5 Years                         |
| 14) Acquisition of computer hardware and software, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.      | 12,000                                      | 11,400  | 5 Years                         |
| 15) VFW Building Demolition, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.                            | 40,000                                      | 38,000  | 15 Years                        |
| <b>TOTAL</b>  | <b>\$600,000</b>                            | <b>\$570,000</b>  |                                 |

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$570,000.

(c) The estimated cost of the Improvements is \$600,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

#### SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next



succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

#### SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

#### SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 9.84 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$570,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$25,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

#### SECTION 7:

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

## SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

## SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$570,000.

## SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman O'Toole moved that Pending Ordinance #15-783 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 1, 2015, seconded by Councilman Tanella, and passed by the following vote:  
AYE: Councilman O'Toole, Tanella, Zunic, Deputy Mayor Chiusolo, Mayor Longo  
NO: None

- e) To consider resolution concerning appointment of Planning Board 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 Nicholas Gregory be appointed as a member of the Planning Board to fill an unexpired term, effective immediately and terminating December 31, 2017.

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

- f) To consider resolution concerning renewal of limousine license – Call Me Gus Limo

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

**WHEREAS**, application for limousine license for 2015 has been received from:

**APPLICANT****TRADE NAME**

Gustavo Saavedra  
32 Bergen Drive  
Cedar Grove, NJ 07009

Call Me Gus Limo LLC

**WHEREAS**, a satisfactory investigation has been conducted by the Police Chief.

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

**BE IT FURTHER RESOLVED** that the Township Clerk be directed to renew said limousine license for the above named applicant.

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

- g) To consider resolution concerning award of bid – Reconstruction of Cedar Grove Parkway

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

**WHEREAS**, pursuant to advertising duly made, bids were received for Reconstruction of Cedar Grove Parkway, and were publicly opened by the Township Clerk on March 18, 2015 as follows:

| <b>BIDDER</b>                       | <b>TOTAL BID AMOUNT</b> |
|-------------------------------------|-------------------------|
| A.J.M. Contractors, Inc.            | \$ 248,578.00           |
| Mangiro                             | \$ 267,300.20           |
| Crossroads Pavement Maint., LLC     | \$ 275,481.80           |
| Black Rock Enterprises, LLC         | \$ 277,154.00           |
| Stanziale Construction, LLC         | \$ 277,243.00           |
| J.A. Alexander, Inc.                | \$ 278,936.34           |
| Paving Materials & Contracting, LLC | \$ 312,313.00           |

**WHEREAS**, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend awarding the bid to A.J.M. Contractors of Clifton, New Jersey, the lowest responsible bidder, in the amount of \$248,578.00; and

**WHEREAS**, the funds are available to satisfy our obligations under this contract from 2014 Department of Transportation grant and Bond Ordinance No. 14-775.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, that the award of bid be made to A.J.M. Contractors, Inc. of Clifton, New Jersey.

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

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

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

NO: None

h) To consider resolution authorizing execution of interlocal agreement – Health Services

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

**RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF MONTCLAIR FOR THE FURNISHING OF HEALTH SERVICES**

**WHEREAS**, the Township of Cedar Grove desires to enter into an interlocal agreement with the Township of Montclair pursuant to which Montclair will furnish health services of a technical and professional nature to the Township of Cedar Grove, pursuant to N.J.S.A.26:3A-2-1 et seq.; and

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the "Act") encourages municipalities and other local contracting units to enter into interlocal and other agreements for shared services in order to reduce property taxes through the reduction of local expenses; and

**WHEREAS**, the Act provides that municipalities may enter into agreements to provide or receive any service that each municipality is empowered to receive or provide within its own jurisdiction; and

**WHEREAS**, the Township Council has determined that it is in the best interests of the Township to receive health services from the Township of Montclair in exchange for payments to be made by the Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, that the Mayor and Township Manager are hereby authorized to execute an agreement with the Township of Montclair to receive health services from the Township of Montclair.

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

i) To consider resolution concerning replacement of tax sale certificate

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE  
CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS**, the Tax Collector of the Township of Cedar Grove has previously issued a tax sale certificate to MTAG as Custodian for Alterna Funding I, LLC which certificate is dated December 10, 2014 covering premises commonly known and referred to as Lot-36 in Block-13 as set out on the municipal tax map then in use which certificate bears number 1-14; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the Tax Collector of the Township of Cedar Grove be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

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

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

NO: None

- j) To consider resolution concerning replacement of tax sale certificate

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE  
CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS**, the Tax Collector of the Township of Cedar Grove has previously issued a tax sale certificate to MTAG as Custodian for Alterna Funding I, LLC which certificate is dated December 10, 2014 covering premises commonly known and referred to as Lot-28 in Block-61 as set out on the municipal tax map then in use which certificate bears number 3-14; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the Tax Collector of the Township of Cedar Grove be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

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

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

NO: None

- k) To consider resolution concerning replacement of tax sale certificate

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE  
CERTIFICATE PURSUANT TO CHAPTER 99 OF THE PUBLIC LAWS OF 1997**

**WHEREAS**, the Tax Collector of the Township of Cedar Grove has previously issued a tax sale certificate to MTAG as Custodian for Alterna Funding I, LLC which certificate is dated December 10, 2014 covering premises commonly known and referred to as Lot-3 in Block-303 as set out on the municipal tax map then in use which certificate bears number 9-14; and

**WHEREAS**, the purchaser of the aforesaid tax sale certificate has indicated to the Tax Collector that they have lost or otherwise misplaced the original tax sale certificate and have duly filed the appropriate Affidavit of Loss with the Tax Collector, a copy of which is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the Tax Collector of the Township of Cedar Grove be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

**BE IT FURTHER RESOLVED** that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate to be issued to said purchaser and that said duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

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

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

NO: None

- l) To consider resolution concerning waiver of developer agreement

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

**In the Matter of: Live, Laugh Learn Childcare  
599 – 601 Pompton Ave.  
Block 160, Lot 18, 19, 21, 21.01, 22, 34, 35, 47 and 57**

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that pursuant to Section 38-32.1 of the Code of the Township of Cedar Grove, the governing body does hereby waive the requirements for a developer's agreement, performance guarantee and insurance certificate in connection with the above referenced project.

**BE IT FURTHER RESOLVED** that submission of the 5% post approval escrow is required per Chapter 38-26.2 of the Code of the Township of Cedar Grove.

Councilman O'Toole 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

m) To consider resolution concerning amendment of 2015 Capital Budget

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

**WHEREAS**, the Township of Cedar Grove desires to amend the 2015 Capital Budget of said municipality by inserting various water utility improvements, various sewer utility improvements and various general improvements.

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

AMENDMENT  
CAPITAL BUDGET OF THE TOWNSHIP OF CEDAR GROVE  
COUNTY OF ESSEX, NEW JERSEY

PROJECTS SCHEDULE FOR 2015  
METHOD OF FINANCING

| <u>Project</u>                     | <u>Estimated Cost</u> | <u>Debt Authorized</u> | <u>Down Payment</u> |
|------------------------------------|-----------------------|------------------------|---------------------|
| Various General Improvements       | <u>\$600,000.00</u>   | <u>\$570,000.00</u>    | <u>\$30,000.00</u>  |
| Various Water Utility Improvements | <u>\$160,000.00</u>   | <u>\$152,000.00</u>    | <u>\$8,000.00</u>   |
| Various Sewer Utility Improvements | <u>\$120,000.00</u>   | <u>\$114,000.00</u>    | <u>\$6,000.00</u>   |

Councilman Zunic moved adoption of the resolution, seconded by Deputy Mayor Chiusolo, 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 \$ 3,317,798.51.

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

## **9. PUBLIC COMMENT**

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

Sam White; 66 Little Falls Rd. – Mr. White cited several concerns along Little Falls Rd.; a large dead tree by the walk-in entrance to Community Park from Little Falls Rd., speed limit at the sharp bend, RR tunnel near Commerce Road, and the Francisco Ave./Little Falls Rd. intersection.

Michael Maffucci; 38 Briarhill Rd. – Mr. Maffucci thanked residents for their support during the recent municipal election.

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

## **10. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 9:10 p.m. by acclaim.