

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

PUBLIC MEETING

MINUTES

JUNE 6, 2016

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilman Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

Also Present: Township Manager Tucci, Township Attorney Zielinski, and Township Clerk Stutz

Absent: Councilman Kumburis

The flag salute was led by Mayor Chiusolo.

Mayor Chiusolo made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly provided to the Verona-Cedar Grove Times and the Star Ledger on December 31, 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 regular public meeting minutes of May 2, 2016

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

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

NO: None

ABSENT: Councilman Kumburis

- (b) To consider approval of minutes of special public meeting – May 16, 2016

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

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

NO: None

ABSENT: Councilman Kumburis

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

Mayor Chiusolo 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 Chiusolo closed this portion of the meeting.

4. REPORTS OF TOWNSHIP OFFICIALS

- (a) Township Manager – The Manager thanked participants of the annual “Clean Sweep” day held Saturday, June 4th. The Manager provided a report from the Police Dept. regarding recent traffic complaints at the Woodstone Drive/Forest Hills Way intersection. The Manager provided information compiled by the Recreation Director regarding membership fees of municipal pools in neighboring communities. Mr. Tucci commented that all are subsidized through the municipality’s budget. Mr. Tucci also advised that current membership revenue is approximately \$7,000 the final amount from 2015.
- (b) Township Clerk – The Clerk advised that a resolution for the annual renewal of ABC licenses will be on the 6/20 meeting agenda for the licenses eligible for renewal. The Clerk noted a memo regarding upcoming Zoning Board re-appointments and Council liaison appointments. There was consensus to re-appoint the current members whose terms expire (Brown and Vargo) and appoint Alt. 1 (Nardiello) to the vacancy created by the resignation of Dan Dwyer.
- (c) Township Attorney – The Township Attorney provided a memo regarding inclusion of language in the in marketing of recyclables contract to protect the Township from any default. Attorney Zielinski noted the resolution on agenda to memorialize the Council’s decision regarding appeal of the Zoning Board decision in the matter of Soccer Dome, Inc. Attorney Zielinski requested an executive session to discuss two litigation matters, K. Hovnanian litigation, and COAH litigation.

(d) Other Reports

Nomination of Deputy Mayor and Mayor – Councilman Maffucci nominated Peter Tanella to serve as Mayor, seconded by Councilman Longo, and agreed to unanimously. Deputy Mayor Tanella nominated Michael Maffucci to serve as Deputy Mayor, seconded by Councilman Longo and agreed to unanimously.

Councilman Maffucci requested discussion of creation of a redevelopment advisory committee and Green Team membership be placed on the agenda of the next staff meeting, to which the governing body agreed. Councilman Maffucci inquired on behalf of the Health Advisory Committee about water testing in the municipality’s schools. The Manager advised that the Township has no lead piping in its supply system.

5. CONSENT AGENDA

- (a) To consider resolution concerning approval of raffle application – Lions Club of Cedar Grove

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

WHEREAS an application for a raffle license has been received from:

APPLICANT

Lions Club of Cedar Grove
P.O. Box 283

EVENT, DATE, TIME, AND PLACE

Off-Premise 50/50 Raffle
December 1, 2016 at 7:00 – 9:00 p.m. at

Cedar Grove, NJ 07009

557 Pompton Ave., Cedar Grove NJ

WHEREAS the fee has been paid, 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 Maffucci moved adoption of the resolution, seconded by Deputy Mayor Tanella, and passed by the following vote:

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

NO: None

ABSENT: Councilman Kumburis

- (b) To consider resolution concerning approval of raffle applications – Foundation for Diabetes Research

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

WHEREAS applications for raffle licenses have been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
The Foundation for Diabetes Research 513 West Mt. Pleasant Ave. Suite 220 Livingston, NJ 07039	Off-Premise Draw Raffle October 26, 2016 at 6:00 – 9:30 p.m. at 691 Pompton Ave., Cedar Grove NJ
The Foundation for Diabetes Research 513 West Mt. Pleasant Ave. Suite 220 Livingston, NJ 07039	On-Premise Draw Raffle October 26, 2016 at 6:00 – 9:30 p.m. at 691 Pompton Ave., Cedar Grove NJ

WHEREAS the fee has been paid, 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 Maffucci moved adoption of the resolution, seconded by Deputy Mayor Tanella, and passed by the following vote:

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

NO: None

ABSENT: Councilman Kumburis

6. NEW BUSINESS

- (a) To consider introduction of Pending Bond Ord. #16-797 – 2016 Salary Grades & Ranges, Wages and Fees of Municipal Employees

The clerk read the Ordinance by title only:

AN ORDINANCE FIXING SALARY GRADES AND RANGES, WAGES AND FEES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF CEDAR GROVE FOR FISCAL YEAR 2016.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE AS FOLLOWS:

Section 1. Unless heretofore created and established in the Township of Cedar Grove, the salary grades and ranges, wages and fees of all officers and employees of the Township of Cedar Grove shall be as follows:

<u>GROUP I - SALARY GRADES</u>			
<u>Grade</u>	<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
1	Clerical Assistant Building Maintenance Worker	\$32,000.	\$40,151.
3	Assistant to Township Clerk Department Secretary Accounting/Payroll Assistant Tax/Utility Accounting Assistant Recreation Coordinator	35,000.	50,946.
4	Recreation Maintenance Worker	36,753.	53,308.
5	Communications Operator Deputy Court Clerk Health/Welfare/Sr. Transportation Planning/Zoning Coordinator	39,535.	58,802.
8	Assistant Municipal Treasurer Senior Recreation/Pool Coordinator Records Clerk-Police	45,254.	62,301.
9	Administrative Secretary Municipal Court Administrator Deputy Municipal Tax Collector Assistant Recreation Director	50,980.	75,652.
10	Construction Official/Com. Develop. Dir. Dir. of Assessments/Tax Assessor Director of Recreation	61,119.	89,019.
11	Director of Finance/Tax Collector/CMFO Municipal Engineer/Public Works Director	75,000.	134,640.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
L-2 Library Assistant	16,793.	42,653.
L-3 Technical Library Assistant	21,224.	46,125.
L-4 Senior Library Assistant	25,469.	50,855.
L-5 Principal Library Assistant/Administrative Services	28,653.	55,587.
L-6 Supervising Library Assistant	30,775.	62,682.
L-7 Library Specialist	32,897.	67,385.
L-8 Children's Librarian	37,142.	70,960.
L-9 Senior Children's Librarian	40,326.	76,875.
L-10 Supervising Librarian	45,632.	83,972.
L-11 Library Director	59,427.	102,036.

Group II – Fixed Salaries and Fees

Township Clerk	\$ 85,063./year
Township Manager	182,574./year
Municipal Court Judge	38,206./year
Township Attorney	28,753./year – Non Retainer \$175./hr
Electrical Sub-Code Official	16,496./year
Plumbing Sub-Code Official	16,496./year
Prosecutor	357./session
Public Defender	255./session
Planning Board Attorney	207./session
Zoning Board Attorney	245./session

Group III – Part –Time Hourly

<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
Clerk Typist	\$ 8.99	\$ 11.02
Life Guards	8.25	13.95
School Traffic Guards	12.36	15.76
Public Health Nurse		21.96
Public Health Nurse/School Nurse		29.62
Municipal Alliance Co-ordinator		14.22
Bus Driver	15.00	20.10
Recreation Supervisor	8.25	12.34
Recreation Leader	8.25	9.28
Pool Maintenance Worker	8.25	9.28
Recreation Maintenance Worker	8.25	10.40
Public Workers Helper	8.25	12.73
Shelver – Library	8.25	9.38
Library Aides	8.25	8.56
Technical Library Asst.	11.31	24.60
Administrative/Computer Asst.	15.85	31.54
Library Specialist	17.54	34.57
Senior Library Asst.	13.58	26.07
Principal Library	15.29	38.50
Violations Clerk	15.45	19.71

DPW

<u>Grade</u>	<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
8	Senior Mechanic-Auto	\$57,246.	\$82,330.

Section 2. The Township Council shall, by Resolution, and in accordance with labor contracts, fix the salary of each officer and employee within the salary range as set forth in Section 1 of the Ordinance.

Section 3. This Ordinance shall take effect twenty (20) days after the first publication after passage pursuant to law. When adopted, the provisions of Section 1 shall be retroactive to January 1, 2016 and shall be deemed to have taken effect as of that date.

Councilman Maffucci moved that Pending Ordinance # 16-797 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 20, 2016, seconded by Deputy Mayor Tanella, and passed by the following vote:

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

NO: None

ABSENT: Councilman Kumburis

(b) To consider resolution concerning renewal of MCCPC membership

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

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, Township of Cedar Grove desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to **renew** its membership in the MCCPC for the period of October 1, 2016 through September 30, 2021.

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

1. Township Council of the Township of Cedar Grove hereby authorizes the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2016, through September 30, 2021.

2. The Township Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
3. This resolution shall take effect immediately upon final passage according to law.
4. All appropriate Township of Cedar Grove officials are authorized and directed to perform all required acts to affect the purpose of this resolution.

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

AYE: Councilman Longo, Maffucci, Deputy Mayor Tanella

NO: None

ABSTAIN: Mayor Chiusolo

ABSENT: Councilman Kumburis

- (c) To consider resolution concerning Appeal of Zoning Board Decision – Soccer Domain, Inc.

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

In the matter of Soccer Domain, Inc.

RESOLUTION

WHEREAS, Soccer Domain, Inc. (“Soccer Domain”) applied to the Township of Cedar Grove Board of Adjustment (“Board of Adjustment”) for preliminary and final site plan approval to construct an indoor soccer facility on premises located at 20 Sand Park Road, Block 295, Lot 24 on the tax map (“Property”) of the Township of Cedar Grove (“Township”); and

WHEREAS, on March 8, 2016, the Board of Adjustment granted the Soccer Domain’s application, which included granting the Soccer Domain a variance pursuant to N.J.S.A. 40:55D-70(d), and memorialized that approval on March 8, 2016, by Resolution No.: 2588; and

WHEREAS, the variance granted pursuant to N.J.S.A. 40:55D-70(d) allowed two principal uses on one piece of property in the Township, which is prohibited in the Property’s zone; and

WHEREAS, pursuant to N.J.S.A. 40:55D-17(d) any interested party “may appeal to the Governing Body any final decision of a board of adjustment approving an application for development pursuant to [40:55D-70(d)] if so permitted by ordinance.”; and

WHEREAS, Section 38 – 34 of the Township Code allows an interested party to appeal an application approving a variance pursuant to N.J.S.A. 40:55D-70(d) to the Governing Body; and

WHEREAS, on February 4, 2016, the Township received a notice of appeal from Gregory Mascera, Esq. on behalf of Antal Zeleszko, Jr., James Halbert, and Richard Kroll; and

WHEREAS, on March 28, 2016, the Township received a notice of appeal from Christopher Beaumont; and

WHEREAS, the record of proceedings held before the Board of Adjustment were transmitted to the Township's Governing Body, including the entire application filed by Soccer Domain, the Site Plan and other drawings, all exhibits marked during the public hearing, all professional reports submitted on behalf of Soccer Domain and by municipal professionals, and transcripts of the Board of Adjustment public hearings; and

WHEREAS, Mr. Mascera and Mr. Beaumont submitted memorandum to the Governing Body explaining their positions as to why the Board of Adjustment improperly granted variance relief pursuant to N.J.S.A. 40:55D-70(d); and

WHEREAS, Michael J. Sullivan, Esq. submitted a memorandum to the Governing Body on behalf of the Soccer Domain explaining its positions as to why the Board of Adjustment properly granted variance relief pursuant to N.J.S.A. 40:55D-70(d); and

WHEREAS, on May 16, 2016, the Governing Body conducted a public hearing, which hearing was attended by Mr. Mascera, Mr. Beaumont, and Mr. Sullivan; and

WHEREAS, during the hearing, Mr. Mascera, Mr. Beaumont, and Mr. Sullivan presented arguments as to why the Board of Adjustment should or should not have granted variance relief pursuant to N.J.S.A. 40:55D-70(d); and

WHEREAS, during the hearing, the Governing Body questioned Mr. Mascera, Mr. Beaumont, and Mr. Sullivan; and

WHEREAS, pursuant to N.J.S.A. 40:55D-17(d), "the Governing Body may reverse, remand, or affirm with or without the imposition of conditions the final decision of the Board of Adjustment approving a variance pursuant to" N.J.S.A. 40:55D-70(d); and

WHEREAS, at the conclusion of the arguments by Mr. Mascera, Mr. Beaumont, and Mr. Sullivan, Deputy Mayor Peter Tanella made a motion to reverse the decision of the Board of Adjustment granting variance relief pursuant to N.J.S.A. 40:55D-70(d), which motion was seconded by Councilmember Michael Maffucci; and

WHEREAS, among the reasons expressed by Deputy Mayor Tanella for advancing the motion were:

- Granting a variance pursuant to N.J.S.A. 40:55D-70(d) will impair the intent and purpose of the Township's zoning plan and the Township's zoning ordinances. Specifically, the Property is located in the M2 Zone in the Township. The M2 Zone consists of large land areas intended to encourage campus style development. Further, the M2 Zone prohibits more than one principal use on a property. Nowhere in the Township do two principal uses exist on a single piece of property.
- The property is located in a residential area of town. Granting the variance will be detrimental to the public good and the residents in the vicinity of the Property. The proposed soccer facility will operate year round, seven days a week from 8:00 a.m. to 10:00 p.m., while the other principal use on the Property will operate Monday through Friday during the daytime hours.

WHEREAS, the motion to reverse the Board of Adjustment’s decision and vacate the variance was approved 5 to 0; and

NOW THEREFORE, BE IT RESOLVED that the Township Council, the Township of Cedar Grove, County of Essex, State of New Jersey hereby reverses the Board of Adjustment and vacates the variance granted to the Soccer Domain pursuant to N.J.S.A. 40:55D-70(d), and memorialized in Resolution No.: 2588;

AND BE FURTHER RESOLVED that the Township Clerk is hereby directed to publish notice of the Governing Body’s decision in the appropriate newspaper and to mail a copy of the decision to the appellants and any interested party who has requested it as required by N.J.S.A. 40:55D-17(g).

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

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

NO: None

ABSENT: Councilman Kumburis

(d) To consider resolution concerning tax reduction granted by Tax Court of New Jersey

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

WHEREAS, the Tax Collector of the Township of Cedar Grove has determined that action is required as a result of tax reductions granted by the Tax Court of New Jersey;

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations, which are set forth along with the name and address of the taxpayer.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required tax cancellations and refunds be made:

2014 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellations and Tax Refund</u>
297	40	Mirage II, LLC 89 Commerce Road Cedar Grove, NJ 07009	\$1,099.00
297	51	99 Commerce Road Associates 99 Commerce Road Cedar Grove, NJ 07009	\$4,622.39

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

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

NO: None

ABSENT: Councilman Kumburis

(e) To consider resolution concerning insertion of special item of revenue

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

WHEREAS, N.J.S.A. 40A:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2016 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2016 in the sum of \$26,890.12, which is now available as a revenue from the Clean Communities Program, which is administered by the Department of Environmental Protection, pursuant to the provision of statute; and

B IT FURTHER RESOLVED that a like sum of \$26,890.12 is hereby appropriated under the caption:

Clean Communities Program \$26,890.12

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

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

NO: None

ABSENT: Councilman Kumburis

(f) To consider resolution concerning estimated tax bills

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

WHEREAS, the Essex County Board of Taxation is unable to certify tax rates for the year 2016 in a timely manner; and

WHEREAS, without a 2016 certified tax rate the Tax Collector of the Township of Cedar Grove will be unable to issue 2016 tax bills on a timely basis; and

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

1. The Tax Collector of the Township of Cedar Grove is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Cedar Grove for the third installment of 2016 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.

2. The total estimated tax levy for 2016 is \$50,757,266.89. The estimated tax rate for 2016 is \$2.290.

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

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

NO: None

ABSENT: Councilman Kumburis

- (g) To consider resolution concerning designation of mayor for the day

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

BE IT RESOLVED by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Councilman Joseph Chiusolo is hereby appointed Mayor for the day on September 10, 2016.

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

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

NO: None

ABSENT: Councilman Kumburis

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 \$641,644.17

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Kumburis

8. CONTRACTS AND AGREEMENTS

- (a) To consider resolution awarding contract for marketing or recyclables

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 had previously engaged Galaxy Recycling, Inc., of Jersey City, New Jersey for its services related to the marketing of recyclable materials; and

WHEREAS, requests for proposals for said services were solicited by way of notice on the Township website; and

WHEREAS, a sole proposal was received and publicly opened on April 15, 2016 from F. Basso Jr. Rubbish Removal, Inc., of Irvington, New Jersey, which has been reviewed by the Township Engineer, and determined to be in the best interests of the Township; and

WHEREAS, this contract is authorized in accordance with the Local Public Contracts Law which permits the negotiation and award of a contract for the marketing of recyclable materials by way of resolution, and without public advertising for bids and bidding, pursuant to N.J.S.A. 40A:11-5(1)(s).

NOW, THEREFORE, BE IT RESOLVED that the Township Council of Cedar Grove, County of Essex, State of New Jersey, does hereby authorize the Township Manager to execute a contract with F. Basso, Jr. Rubbish Removal, Inc. of Irvington, New Jersey for the marketing of recyclable materials for a five-year period effective June 20, 2016 through June 20, 2021.

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

AYE: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Kumburis

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

Diane Perkins; 260 Ridge Rd. – Ms. Perkins. Environmental Commission member, suggested a change to the Green Team Membership. There was consensus to discuss membership and other initiatives to raise the Township’s eligibility for “sustainable” designation at next staff meeting.

Robert O’Toole; 3 Old Orchard Court – Mr. O’Toole noted the date of the Primary Election and poll hours (June 7, 6:00 a.m. – 8:00 p.m.). Mr. O’Toole advised that Passaic Valley Sewer Commisison performed a clean-up of the Peckman River in the spring at no cost to the Township.

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 June 6, 2016.
2. The general nature of the subject matters to be discussed are litigation matters regarding K. Hovnanian and COAH.

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 Tanella moved adoption of the resolution, seconded by Councilman Longo, and passed by the following vote:

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

NO: None

ABSENT: Councilman Kumburis

10. ADJOURNMENT

Deputy Mayor Tanella moved adjournment of the public council meeting, seconded by Councilman Longo, and passed by the following vote:

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

NO: None

ABSENT: Councilman Kumburis

The meeting adjourned at 7:40 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK