

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

**SPECIAL PUBLIC
COUNCIL MEETING**

**MINUTES
4:30 P.M.**

JUNE 24, 2016

1. ROLL CALL AND FLAG SALUTE

Deputy Mayor Tanella called the meeting to order at 4:30 p.m.

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

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

Absent: Mayor Chiusolo

The flag salute was led by Deputy Mayor Tanella.

Deputy Mayor Tanella 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 by fax and on June 22, 2016, 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. NEW BUSINESS

- a) To consider resolution concerning censure
- b) To consider resolution concerning recusal
- c) To consider resolution concerning admonishment
- d) To consider resolution concerning referral to Local Finance Board
- e) To consider resolution concerning resignation

Deputy Mayor Tanella explained that the above resolutions had been posted on the bulletin board and were to be considered in the absence of receipt of letter of resignation from Mayor Chiusolo. Deputy Mayor Tanella stated that the governing body was notified of the submission of a letter of resignation from Mayor Chiusolo at approximately 2:30 p.m. by the Township Clerk. Agenda Items 2a) through e) were withdrawn and replaced with the following item:

To consider resolution accepting resignation of Mayor

WHEREAS, On March 24, 2016, the Township of Cedar Grove (the "Township") retained the Hon. Alexander H. Carver, III, J.S.C. (ret.) as an independent investigator to conduct an investigation regarding the alleged conduct of Mayor Chiusolo; and

WHEREAS, on April 7, 2016 Judge Carver commenced an in-depth investigation that included interviewing 28 individuals and reviewing documents; and

WHEREAS, through his Investigation Report and Recommendation to the Mayor and Council, dated June 14, 2016, Judge Carver made several recommendations to the governing body; and

WHEREAS, by resolution on June 20, 2016, the governing body acknowledged its receipt of the Investigation Report and Recommendation and authorized the report's public release; and

WHEREAS, subsequently on June 24, 2016, Mayor Chiusolo transmitted his written resignation to the municipal clerk; and

WHEREAS, the governing body wishes to accept Mayor Chiusolo's resignation; and

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, hereby accepts Mayor Chiusolo's resignation; and

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Councilman Maffucci moved adoption of the resolution, seconded by Councilman Kumburis, and passed by the following vote:

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

NO: NONE

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

Deputy Mayor Tanella opened this portion of the meeting. There being no one present wishing to be heard, Deputy Mayor Tanella closed this portion of the meeting.

AUTHORIZATION TO GO INTO EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings' Act (N.J.S.A.10:4-12 (b) (1-9) permits the exclusion of the public from a Meeting of the Mayor and Council in certain circumstances; and

WHEREAS, the Mayor and Council of the Township of Cedar Grove are of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Cedar Grove, County of Essex, State of New Jersey that:

1. The public shall be excluded from discussion of any action on the Executive Session of the Meeting of the Mayor and Council of June 24, 2016.

2. The general nature of the subject matters to be discussed is personnel matter regarding potential litigation.
3. It is anticipated at this time that the above stated subject matter will be made public as soon thereafter as it is deemed in the public interest to do so.
4. This Resolution shall take effect immediately.

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

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

NO: NONE

4. ADJOURNMENT

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

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

NO: None

ABSENT: Mayor Chiusolo

The meeting adjourned at 4:40 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK