

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

**PUBLIC MEETING**

**MINUTES**

**JULY 1, 2015**

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

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

Present: Councilman O'Toole, Tanella, Deputy Mayor Chiusolo, Mayor Longo

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

The invocation was given by Fr. Robert McLaughlin of St. Catherine of Siena Church, followed by the flag salute led by Mayor Longo.

Mayor Longo made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly provided to the Verona-Cedar Grove Times and the Star Ledger on January 1, 2015, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building Lobby in accordance with the Open Public Meeting Act.

**2. PRESENTATIONS TO OUTGOING MAY AND COUNCIL MEMBER**

(a) Presentation and Comments to outgoing Mayor from Deputy Mayor Chiusolo

Deputy Mayor Chiusolo presented outgoing Mayor Longo with a plaque and commended him for his service to the town and community.

(b) Presentation and Comments to outgoing Councilman O'Toole from Deputy Mayor Chiusolo

Councilman Tanella addressed Councilman O'Toole and stated that he has been fortunate to have served with Councilman O'Toole on the governing body as he has known Councilman O'Toole his (Tanella's) whole life. Councilman Tanella thanked Councilman O'Toole for his years of service to the community, as a volunteer coach in recreation sports programs, active parishioner of St. Catherine of Siena, active and life-time member of the volunteer Fire Department, and public service as a Councilman. Councilman Tanella extended his best wishes, stated that he will personally miss Councilman O'Toole's presence on the governing body, and looks forward to his presence in the audience at meetings.

Mayor Longo thanked Councilman O'Toole for his spirit of cooperation, and extended his best wishes.

Deputy Mayor Chiusolo presented retiring Councilman O'Toole with a plaque in appreciation of his dedication and service as a Councilman for the past twelve (12) years. Deputy Mayor Chiusolo commented on Councilman O'Toole's deep love and respect for his country and the Township. As a

special tribute, the Jersey City Fire Department Pipe and Drum Corp. appeared at the request of Deputy Mayor Chiusolo to honor the dedication and service of Councilman O'Toole. Councilman O'Toole thanked his fellow Councilmembers and noted that he always valued the gentlemanly atmosphere he experienced among his peers on the governing body despite differences of opinions.

### 3. ADMINISTRATION OF OATH OF OFFICE (NEWLY ELECTED MEMBERS)

#### (a) Harry J. Kumburis

Harry J. Kumburis was sworn into office as Councilman by Assemblyman Thomas P. Giblin.

#### (b) Peter Tanella

Municipal Judge Nicholas Brindisi administered the oath of office to re-elected Councilman Peter H. Tanella.

Councilman Tanella expressed his thanks to the residents for re-electing him for another term, and also his family for their support and patience in allowing him to serve. Councilman Tanella explained that his role as Councilman is a service that he takes very seriously because it enables him to give back to the community in which he was raised and is raising his own family. Councilman Tanella recounted numerous accomplishments that he has been a part of during his tenure. Finally, Councilman Tanella thanked his fellow councilmembers for their mutual respect and hard work in looking out for the best interests of all residents of the Township. Councilman Tanella stated that in his opinion, one of the best things about the Township is the form of government it operates under, that the governing body functions as a whole, decisions and actions cannot be made/taken by any one member, but are considered and acted on by council collectively. Councilman Tanella also thanked the municipal staff for their service and municipal officials for their dedication and guidance. Councilman Tanella extended congratulations to newly elected Councilman Kumburis.

### 4. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

#### (a) To consider resolution designating the Mayor

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 Joseph Chiusolo be and is hereby chosen to preside at all meetings of the Township Council of the Township of Cedar Grove, and that he be and is hereby appointed the Mayor of the Township of Cedar Grove for a one-year term, effective July 1, 2015 and terminating July 1, 2016.

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

AYE: Councilman Kumburis, Longo, Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Zunic

Municipal Judge Nicholas Brindisi administered the oath of office to Mayor Chiusolo. Mayor Chiusolo thanked fellow councilmembers for their support and selecting him to serve as Mayor.

(b) Presentation to Fr. Robert McLaughlin

Mayor Chiusolo presented “Fr. Mac” with a proclamation to recognize his service to the community, and extend congratulations and best wishes on his new appointment as Director of Campus Ministry and Seton Hall University.

(c) Introduction of Honored Guests

Mayor Chiusolo acknowledged current and former state, county and local public officials in attendance as well as Township employees.

(d) Comments from Councilmembers

Mayor Chiusolo thanked Judge Brindisi for administering his oath of office. Mayor Chiusolo also voiced his thanks to his family and friends for their support, and the Council for their vote of confidence in selecting him to serve as Mayor. Mayor Chiusolo offered congratulations to Councilman Tanella and Kumburis for a successful municipal election. Finally, Mayor Chiusolo thanked the Township employees, members of Police Dept., Fire Dept., and Rescue Squad for their dedication and service to the Township. Mayor Chiusolo noted that the campaign season is closed and it is time to govern. Mayor Chiusolo stated that under the Township’s form of government the Council is not representative of a political party, and no one member is any more important than another. Mayor Chiusolo explained that the Council makes decisions as a team, not as individuals, and acts on behalf of what it considers to be best for all the residents of the Township. Mayor Chiusolo further stated that he looks forward to his role as Mayor and working with his fellow Councilmembers.

Councilman Kumburis thanked Assemblyman Giblin for administering his oath. Councilman Kumburis also thanked Freeholder Brendan Gil for his support. Councilman Kumburis noted and read a congratulatory letter received from Senator Stephen Sweeney.

## 5. CONSENT AGENDA

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

(a) To consider resolution appointing Council Class I member to the Planning Board

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey that Joseph Chiusolo is hereby appointed as the Council Class I Member to the Planning Board of Cedar Grove effective immediately and terminating July 1, 2016.

- (b) To consider resolution appointing Council Liaison member to the CATV Committee

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey that Joseph Chiusolo is hereby appointed to serve as the Council Liaison Member on the C.A.T.V. Committee for a one-year term, effective immediately and terminating July 1, 2016.

- (c) To consider resolution appointing Council Liaison member to the Recreation Advisory Board

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Joseph Chiusolo be hereby appointed to serve as the Council Liaison Member on the Recreation Advisory Board for a one-year term, effective immediately and terminating July 1, 2016.

- (d) To consider resolution appointing Council Liaison member to the Cedar Grove Historical Society

**BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey that Peter Tanella be hereby appointed to serve as the Council Liaison Member on the Cedar Grove Historical Society, effective immediately and terminating July 1, 2016.

- (e) To consider resolution appointing Council Liaison members to the Board of Education

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Peter Tanella and John Zunic are hereby appointed to serve as the Council Liaison Members to the Cedar Grove Board of Education, effective immediately and terminating July 1, 2016.

- (f) To consider resolution appointing Class III member to the Planning Board

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey that E. Romeo Longo is hereby re-appointed as the Council Class III Member to the Planning Board of Cedar Grove effective immediately and terminating July 1, 2016.

- (g) To consider resolution appointing Council Liaison member to the Library Board of Trustees

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that E. Romeo Longo be hereby appointed to serve as the Council Liaison member to the Library Board of Trustees for a one-year term effective immediately and terminating July 1, 2016.

- (h) To consider resolution appointing Council Liaison member to Cedar Ridge Senior Citizens

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that E. Romeo Longo be hereby appointed to serve as the Council Liaison member to Cedar Ridge Senior Citizens for a one-year term effective immediately and terminating July 1, 2016.

- (i) To consider resolution appointing Council Liaison member to the Advisory Health Council

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Harry J. Kumburis is hereby appointed to serve as the Council Liaison Member to the Advisory Health Council, effective immediately and terminating July 1, 2016.

- (j) To consider resolution appointing Council Liaison member to Alliance for Substance Abuse Prevention Committee

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Harry J. Kumburis be hereby appointed to serve as the Council Member on the Alliance for Substance Abuse Prevention Committee for a one-year term, effective immediately and terminating July 1, 2016.

- (k) To consider resolution appointing Council Liaison member to the Senior Citizens Club

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Harry J. Kumburis be hereby appointed to serve as the Council Liaison member to the Senior Citizens Club for a one-year term effective immediately and terminating July 1, 2016.

- (l) To consider resolution for re-appointment of members to Zoning Board

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that Joseph DeBlasio is hereby re-appointed to serve as a member of the Zoning Board of Adjustment for a four-year term effective immediately and terminating July 1, 2019.

**BE IT FURTHER RESOLVED** that Zubin Haghi is hereby re-appointed to serve as Alt. #2 member of the Zoning Board of Adjustment for a two-year term effective immediately and terminating July 1, 2017.

- (m) To consider resolution concerning appointment of Regional Flood Control Board member

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that Harry J. Kumburis is hereby appointed to serve as a Cedar Grove representative to the Woodland Park – Cedar Grove – Little Falls Passaic Valley Flood Control Board for a three-year term effective immediately and terminating July 1, 2018.

- (n) To consider resolution concerning re-appointing members to Emergency Management Council

**BE IT RESOLVED** by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it does hereby appoint/re-appoint the following individuals to Cedar Grove’s Emergency Management Council effective immediately through July 1, 2015:

- |                      |                          |
|----------------------|--------------------------|
| Joseph Chiusolo      | Mayor                    |
| Thomas J. Tucci, Jr. | Township Manager         |
| John D’Ascensio      | Construction Official    |
| Sue Portuese         | Health Official          |
| Richard Vanderstreet | Police Chief             |
| James Zaccaria       | Fire Chief               |
| Scott Larson         | Ambulance & Rescue Squad |
| Jerry Vitiello       | Supt. of Public Works    |
| Alex Palumbo         | Municipal Engineer       |

(o) To consider resolution concerning approval of raffle application – St. Michael’s Foundation  
**WHEREAS**, application for raffle license has been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

St. Michaels Foundation, Inc.  
111 Central Ave.  
Newark NJ 07102

Off-Premise 50/50 raffle  
to be held at October 17, 2015, 10:00 pm  
at The Grove  
691 Pompton Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

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

(p) To consider resolution concerning approval of raffle application – CG Elks Club

**WHEREAS**, applications for raffle licenses have been received from:

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

Cedar Grove Elks Lodge #2237  
405 Bowden Rd.  
Cedar Grove NJ 07009

Off-Premise 50/50 raffle  
to be held Sept. 12, 2015, 1:00 - 6:00 pm  
405 Bowden Rd., Cedar Grove NJ 07009

Cedar Grove Elks Lodge #2237  
405 Bowden Rd.  
Cedar Grove NJ 07009

On-Premise Draw raffle  
to be held October 10, 2015, 1:00 - 5:00 pm  
405 Bowden Rd., Cedar Grove NJ 07009

Cedar Grove Elks Lodge #2237  
405 Bowden Rd.  
Cedar Grove NJ 07009

Off-Premise 50/50 raffle  
to be held October 10, 2015, 1:00 - 5:00 pm  
405 Bowden Rd., Cedar Grove NJ 07009

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

(q) To consider resolution concerning approval of raffle application – Lions Club of CG

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

**APPLICANTS**

**EVENTS, DATES TIMES & PLACE**

Lions Club of Cedar Grove  
P.O. Box 283  
Cedar Grove NJ 07009

Off-Premise 50/50 raffle  
to be held December 3, 2015, 7:00 – 9:00 pm  
557 Pompton Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

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

- (r) To consider resolution concerning approval of raffle application – Foundation for Diabetes Research

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

**APPLICANTS**

Foundation for Diabetes Research  
513 West Mt. Pleasant Ave.  
Livingston NJ 07039

**EVENTS, DATES TIMES & PLACE**

Off-Premise draw raffle  
to be held October 13, 2015, 6:00 – 9:30 pm  
691 Pompton Ave., Cedar Grove NJ 07009

**WHEREAS**, the fees have been paid, and the application has been reviewed by the Township Clerk and found acceptable.

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

- (s) To consider resolution concerning purchase of radio communication equipment and accessories through State Contract No. A83898

**WHEREAS**, the Township of Cedar Grove has availed itself of the right to purchase radio communication equipment and accessories entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 40A:11-12; and

**WHEREAS**, it is desirable from time to time to purchase radio communication equipment and accessories under contracts entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in cases where no bids have been received; and

**WHEREAS**, it is desirable to purchase radio communication equipment and accessories under such contracts enter into on behalf of the State of New Jersey by said Division during the year 2015;

**WHEREAS**, funds for the purchase of radio communication equipment and accessories are available in Bond Ordinance No.12-749.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the purchase of radio communication equipment and accessories be awarded to Northeast Communications, Inc., through State Contract No. A83898.

Councilman Tanella moved adoption of Consent Agenda resolutions a) through s), seconded by Councilman Longo, and passed by the following vote:

AYE: Councilman Kumburis, Longo, Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Zunic

(t) To consider introduction of pending Ord. No. 15-785 – Vacation of Deed Restriction

The Clerk read the ordinance by title only:

**AN ORDINANCE AUTHORIZING AND APPROVING THE TOWNSHIP OF CEDAR GROVE'S VACATION OF ITS DEED RESTRICTION ON PROPERTY KNOWN AS BLOCK 222, LOT 1**

**WHEREAS**, there exists in the Township of Cedar Grove, County of Essex, State of New Jersey, property known as Block 222, Lot 7, or more commonly referred to as 45 Monroe Street (the "Property"); and

**WHEREAS**, the Township has determined that the Deed Restriction in the name of the Township that provides the Property can only be used as a public park is no longer needed for public use; and

**WHEREAS**, N.J.S.A. 40:67-1 and N.J.S.A. 40:67-19 authorizes a municipality, by ordinance, to vacate, release and extinguish the public's rights in any portion of a place or park where the public interest will be better served by releasing those lands or any part thereof from such dedication; and

**WHEREAS**, the Township Council does hereby determine that the deed restriction is no longer needed for public purposes; and

**WHEREAS**, the Township Council does hereby determine that the vacation of the Deed Restriction will better serve the public interest; and

**WHEREAS**, the Township Council finds it to be in the best interests of the Township and its citizenry to vacate the Deed Restriction and all interests in the Property.

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

1. Subject to the conditions set forth herein, the rights of the public in and to the Property is hereby released, extinguished and vacated.
2. The Township's vacated interest shall revert back to the owners who maintain fee simple title to the property subject to this Deed Restriction.
3. Pursuant to N.J.S.A. 40:67-1b. all public easements, right and interests to the portions of Block 222, Lot 7 are hereby vacated, released and extinguished except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any Cable Television Company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the place or park, or any part thereof, to be vacated subject to the conditions described herein, all conditions, unless otherwise noted, shall be satisfied prior to the said vacation being effective. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines and telephone, electric and cable



television wires and poles which may be located beneath the surface of the foregoing premises or above the same.

4. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Township Clerk to the owners of all real property, as shown on the current tax map duplicates, to be located within 200 feet in all directions of the subject properties. At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Township. This is the notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.
5. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the Township to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Essex in the Book of Vacations, in accordance with the provisions of N.J.S.A. 40:67-21.
6. 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.
7. This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Councilman Tanella moved that Pending Ordinance #15-785 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of July 20, 2015, seconded by Councilman Longo, and passed by the following vote:

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

NO: None

ABSENT: Councilman Zunic

## **6. 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 \$653,987.25

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

AYE: Councilman Kumburis, Longo, Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Zunic

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

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

**8. ADJOURNMENT**

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

AYE: Councilman Kumburis, Longo, Tanella, Mayor Chiusolo

NO: None

ABSENT: Councilman Zunic

The public meeting adjourned at 7:50 p.m.

\_\_\_\_\_  
JOSEPH CHIUSOLO      MAYOR

ATTEST:

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