

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

PUBLIC MEETING

MINUTES

AUGUST 8, 2016

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilman Cicala, Kumburis, Longo, Deputy Mayor Maffucci, Mayor Tanella
Also Present: Township Manager Tucci, Attorney Visconi for Township Attorney Zielinski, and
Township Clerk Stutz

The flag salute was led by Mayor Tanella.

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 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. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

- (a) Ceremonial Swearing-in of Councilman

Township Clerk Stutz administered oath to Joseph Cicala.

3. APPROVAL OF MINUTES

- (a) To consider approval of Reorganization meeting minutes of July 1, 2016

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

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

NO: None

ABSTAIN: Councilman Cicala

- (b) To consider approval of regular public meeting minutes of July 11, 2016

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

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

NO: None

ABSTAIN: Councilman Cicala

(c) To consider approval of special public meeting minutes of July 18, 2016

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

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

NO: None

ABSTAIN: Councilman Cicala

4. PUBLIC HEARING

(a) To consider adoption of Pending Ordinance #16-799 Amending Chapter 146 of the Township Code entitled "Garbage, Rubbish and Refuse"

The ordinance was read by title only as follows:

AN ORDINANCE AMENDING CHAPTER 146 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE, ENTITLED "GARBAGE, RUBBISH AND REFUSE."

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

Deputy Mayor Maffucci moved that the ordinance be adopted at second reading, published in the Verona-Cedar Grove Times as a passed ordinance to take effect as prescribed by law, seconded by Councilman Kumburis, and passed by the following vote:

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

NO: None

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

Mayor Tanella opened this portion of the meeting to anyone wishing to be heard on any item on the agenda.

Robert O'Toole; 3 Old Orchard Court – Mr. O'Toole raised questions pertaining to the resolution (Agenda Item 8 (c)) establishing a pesticide policy. The Manager explained that the resolution is to provide documentation to assist the Township's Green Team efforts toward achieving Sustainable NJ certification.

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

6. REPORTS OF TOWNSHIP OFFICIALS

(a) Township Manager – The Township Manager commended the Police Dept. efforts for reinstating the recent National Night Out event. The Manager stated the event is a community outreach event to promote positive interaction between the Police Dept. and residents, with

assistance from emergency service volunteers. The Manager noted it is anticipated that this will again become an annual event.

(b) Township Clerk – The Clerk advised that a municipal election must be conducted as part of the November 8, 2016 General Election to fill the Councilman-at-Large vacancy created by the resignation of former Mayor Chiusolo. Clerk Stutz further advised that candidate packets are available in the Clerk’s Office and nominating petitions must be filed in the Clerk’s Office by 4:00 p.m. on Tuesday, September 6, 2016.

(c) Township Attorney – Attorney Visconi noted a memo provided regarding award of bid for DPW Fueling Station Improvements (Agenda Item #8 (d).

(d) Other Reports

Councilman Longo congratulated the Police Dept. and other emergency service and municipal volunteers on the recent successful National Night Out. Councilman Longo announced the County’s dedication of the search & rescue dog statue. Councilman Longo noted the Township’s 2016 tax rate of \$2.297 and commended the efforts of the Tax Assessor.

Councilman Cicala thanked the governing body for the opportunity to serve by appointment as a councilmember until the election.

Mayor Tanella noted a block party request from a Brunswick Road resident, to which the governing body, subject to Police Dept. review and approval.

7. CONSENT AGENDA

(a) To consider resolution concerning approval of raffle application – Memorial Middle School FSA

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:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
Memorial Middle School FSA	Off-Premise 50/50 Raffle
500 Ridge Road	September 29, 2016 at 7:30 p.m. at
Cedar Grove, NJ 07009	500 Ridge Rd., 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 Kumburis moved adoption of the resolution, seconded by Councilman Cicala, and passed by the following vote:

AYE: Councilman Cicala, Kumburis, Longo, Deputy Mayor Maffucci, Mayor Tanella
NO: None

(b) To consider resolution concerning approval of raffle application – Cedar Grove Elks

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

WHEREAS, application for raffle license has been received from:

APPLICANTS

EVENTS, DATES TIMES & PLACE

Cedar Grove Elks Lodge #2237
405 Bowden Road
Cedar Grove NJ 07009

Instant Raffle for September 1, 2016
through August 31, 2017
to be held at 405 Bowden Rd.,
Cedar Grove NJ 07009

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

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

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

AYE: Councilman Cicala, Kumburis, Longo, Deputy Mayor Maffucci, Mayor Tanella
NO: None

8. NEW BUSINESS

(a) To consider resolution concerning purchase through Morris County Co-op

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 utilizes the Morris County Cooperative Pricing Council Contract #6 for road resurfacing; and

WHEREAS, the contract amount for road resurfacing of Lakewood Avenue, Birch Road, Catherine Court and Upland Way will not exceed \$160,714.57; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 16-796.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to purchase from the Morris County Cooperative Pricing Council Contract #6 for road resurfacing of Lakewood Avenue, Birch Road, Catherine Court and Upland Way from Tilcon New York, Inc. for an amount not to exceed \$160,714.57.

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

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

NO: None

(b) To consider resolution concerning assessment of tax lien

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 having found costs set forth below to be correct pursuant to Section 100-8 of the Code of the Township of Cedar Grove such costs are hereby assessed against the properties listed below and shall constitute a lien upon said lands, which shall be added to and become and form a part of the taxes next to be assessed and levied upon said lands.

<u>Block</u>	<u>Lot</u>	<u>Property Owner/Location</u>	<u>Property Maintenance Costs Assessed</u>
180	106	Kevin & Jennifer Satter 456 Fairview Avenue Cedar Grove, NJ 07009	\$126.50

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

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

NO: None

(c) To consider resolution concerning pesticide policy

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 governing body is proactive in its approach to protecting the environment, and

WHEREAS, the Cedar Grove governing body has consistently protected our streams, waterways, tree inventory, air quality, and environment in Cedar Grove, and

WHEREAS, in the best interests of the residents of the Township of Cedar Grove, the governing body wishes to establish a policy of prohibiting the use of pesticides on Township properties whenever possible.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Cedar Grove that it does hereby adopt a policy of prohibiting the use of pesticides on Township properties whenever possible.

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

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

NO: None

(d) To consider resolution awarding bid for DPW Fueling Station Improvements

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 DPW Fueling Station Improvements, and were publicly opened by the Township Clerk on July 13, 2016, as follows:

BIDDER	BASE BID AMOUNT	ALT. 1 AMOUNT
Independence Contractors	\$ 358,000.	\$ 6,900.
Slack Environmental	\$ 393,450.	\$13,000.

WHEREAS, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend awarding the bid to Independence Constructors of Bridgewater, New Jersey, the lowest responsible bidder, in the total amount of \$ 364,900. ; and

WHEREAS, the funds are available to satisfy our obligations under this contract 2015 Capital Improvements.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the award of bid be made to Independence Contractors of Bridgewater, New Jersey.

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

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

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

NO: None

9. 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 \$7,956,782.17

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

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

NO: None

ABSTAIN: Councilman Cicala

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

Ron Mega; 82 Hillsdale Road – Mr. Mega referred to the recent investigation conducted by former Judge Alexander Carver in response to an anonymous letter received by the governing body. Mr. Mega expressed concern that the governing body established a dangerous precedent regarding anonymous letters. There followed a lengthy dialogue between Mr. Mega and Mayor Tanella pertaining to investigation report. Attorney Visconi cautioned the governing body to refrain from discussion and/or opinion of the validity of Judge Carver’s findings. Mayor Tanella recounted the governing body’s actions, decisions, and outcome; resignation for former mayor. Mayor Tanella read portions of report to address Mr. Mega’s questions/comments. Mr. Mega commented that actions should be taken to protect Township from ethical violations by local officials. Mayor Tanella stated that he would like to consider establishing a local ethics committee.

Robert O’Toole; 3 Old Orchard Court – Mr. O’Toole stated that under the Township’s form of government members of the governing body should have no direct contact with municipal employees.

Chad Metejicka; 100 S. Mountain Ave. – Mr. Metejicka made several technology suggestions such as the Township providing e-billing for water/sewer and tax payments, website upgrade and interactivity with all electronic devices. Mr. Metejicka also inquired the possibility of making certain streetscape improvements to identify the Township, similar to other surrounding communities, such as colored street signs.

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

11. ADJOURNMENT

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

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

NO: None

The meeting adjourned at 8:30 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK