

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

PUBLIC MEETING

MINUTES

SEPTEMBER 12, 2016

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

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

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

Absent: Councilman Longo

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. APPROVAL OF MINUTES

(a) To consider approval of special public meeting minutes of June 24, 2016

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

AYE: Councilman Kumburis, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSTAIN: Councilman Cicala

ABSENT: Councilman Longo

(b) To consider approval of regular public meeting minutes of August 8, 2016

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

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

NO: None

ABSENT: Councilman Longo

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

4. REPORTS OF TOWNSHIP OFFICIALS

(a) Township Manager – The Manager reminded residents that a new school year just started and urged motor vehicle drivers to exercise due caution. The Manager thanked the Police Dept. for co-ordinating the busing effort to facilitate the temporary relocation of North End School students. Mr. Tucci also thanked Woodland Park Mayor Kazmark for his presence at the Woodland Park School currently housing North End School students. The Manager also commended DPW employees for the refurbishing and installation of the WWII cannon at its new location in Community Park (previously located at VFW property).

(b) Township Clerk – The Clerk announced the two candidates (Joseph Cicala and John Martinelli) for the council vacancy to be filled the November 8th General Election. Ms. Stutz provided information regarding annual board/committee re-appointments. There was consensus to make discussion an item on the next staff meeting (9/26) agenda. The Clerk also noted the upcoming grand opening and ribbon cutting ceremony (9/17) at a new chiropractic business in the Township.

(c) Township Attorney – The Township Attorney noted a memo provided concerning award of bid for lease of municipal property, to which the governing body concurred. Attorney Zielinski referred to a memo and proposed ordinance pertaining to the formation of a Redevelopment Advisory Committee. Following a request to provide the memo to current volunteers, Attorney Zielinski recommended that the governing body determine its desired parameters for responsibilities and membership of the proposed committee. There was consensus to put the topic on the 9/26 staff meeting agenda. The Township Attorney also provided a memo concerning creation of a local ethics board. There was consensus to put the issue on the 9/26 staff agenda also.

(d) Other Reports

Mayor Tanella encouraged residents to utilize the Township website to download a recently launched app for trash and recycling collection information. Mayor Tanella noted a block party request for Cedar Grove Pkwy residents, to which the governing body agreed. Mayor Tanella also noted the upcoming County sponsored collection days; Hazardous Waste on October 1st and Computer & Electronics on October 15th, both at 125 Fairview Ave.

Deputy Mayor Maffucci announced the upcoming NG Foundation Fundraiser to be held 9/24 from 1:00 – 6:00 p.m. at the Elks Lodge to provide scholarships for graduating high school seniors.

Councilman Cicala commented on the CG Waves flag display at Cedar Grove High School to commemorate 9-11.

Councilman Kumburis announced the upcoming MAC sponsored movie night on October 15th in Community Park. Councilman Kumburis advised that the next Regional Flock Control Board is scheduled for 9/15 in Woodland Park. The Manager addressed Councilman Kumburis' inquiries regarding difference between an environmental committee vs. commission, and date of the Township's 9-11 remembrance ceremony.

Mayor Tanella requested an executive session to discuss potential litigation by residential property owners.

5. CONSENT AGENDA

- (a) To consider resolution concerning approval of raffle application – St. Kiril and Metodij Macedonian Church

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

Sts. Kiril and Metodij Macedonian Church
1050 Pompton Ave.
Cedar Grove NJ 07009

On-Premise Draw Raffle for
October 22, 2016 6:00 – 11:00 p.m.
to be held at 1050 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.

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

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

NO: None

ABSENT: Councilman Longo

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

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 Rd.
Cedar Grove NJ 07009

On-Premise 50/50 Raffle for
November 16, 2016 5:00 – 7:30 p.m.
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, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSENT: Councilman Longo

(c) To consider resolution concerning approval of raffle application – CGHS APT

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 High School APT
90 Rugby Rd .
Cedar Grove NJ 07009

On-Premise 50/50 Raffle to be held
October 14 & 28, 2016 7:00 – 9:30 p.m.
to be held at 90 Rugby 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, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSENT: Councilman Longo

6. NEW BUSINESS

(a) 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:

2013 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>
180	35	Stephen G. & Marcy E. Siegel 37 Laura Drive Cedar Grove, NJ 07009	\$1,587.17

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>
180	35	Stephen G. & Marcy E. Siegel 37 Laura Drive Cedar Grove, NJ 07009	\$1,657.29

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

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

NO: None

ABSENT: Councilman Longo

- (b) To consider resolution concerning tax reduction granted by Essex County Board of Taxation

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 the 2016 tax reductions granted by the Essex County Board of Taxation;

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 be made:

2016 Tax Reductions Granted by the Essex County Board of Taxation

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>
30	51	Kruvant C. & Hetnor Hill Holdings 117 Pompton Avenue Cedar Grove, NJ 07009	\$679.92
30	76	Kruvant C. & Hetnor Hill Holdings 135 Pompton Avenue Cedar Grove, NJ 07009	\$1,617.08

130	51	Waji Gobrial 6 Alicia Court Cedar Grove, NJ 07009	\$3,252.55
310	149	VFW Cedar Grove Post 6255 970 Pompton Avenue Cedar Grove, NJ 07009	\$20,330.75

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

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

NO: None

ABSENT: Councilman Longo

(c) To consider resolution concerning tax cancellation

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

WHEREAS, in accordance with N.J.S.A. 54:4-3.30, a veteran who has been discharged or released under honorable circumstances and is 100% permanently disabled as a result of a service connected disability declared by the United States Veterans Administration shall be exempt from property taxation; and

WHEREAS, Ronald Firth of 43 Ira Road, Block – 65 Lot – 11, has filed a claim with the tax assessor certifying his right of property tax exemption in accordance with N.J.S.A. 54:4-3.31;and

WHEREAS, the claim filed by Ronald Firth of 43 Ira Road, Block – 65 Lot – 11 for the property tax exemption has been allowed by the tax assessor; and

WHEREAS, the 2016 property taxes subject to tax exemption totals \$7,158.75.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required 2016 tax cancellation be made:

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>
65	11	Ronald Firth 43 Ira Road Cedar Grove, NJ 07009	<u>\$7,158.75</u>

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

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

NO: None

ABSENT: Councilman Longo

- (d) To consider resolution concerning purchase from Morris County Cooperative Pricing Council Contract #15-F

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 #15-F for cab/chassis with dump truck bodies; and

WHEREAS, the contract amount for cab/chassis with dump truck bodies will not exceed \$94,450.52; 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 #15-F for cab/chassis with dump truck bodies from Browns Hunterdon Mack for an amount not to exceed \$94,450.52.

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

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

NO: None

ABSENT: Councilman Longo

- (e) To consider resolution concerning purchase from Morris County Cooperative Pricing Council Contract #15-D

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 #15-D for service truck bodies; and

WHEREAS, the contract amount for service truck bodies will not exceed \$71,885.00; 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 #15-D for service truck bodies from Tony Sanchez Ltd. for an amount not to exceed \$71,885.00.

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

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

NO: None

ABSENT: Councilman Longo

- (f) To consider resolution concerning insertion of special item of revenue – Drunk Driving Enforcement Fund

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 \$6,815.66, which is now available as a revenue from the Drunk Driving Enforcement Fund, which is administered by the Division of Highway Traffic Safety, pursuant to the provision of statute; and

BE IT FURTHER RESOLVED that a like sum of \$6,815.66 is hereby appropriated under the caption:

Drunk Driving Enforcement Fund \$6,815.66

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

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

NO: None

ABSENT: Councilman Longo

- (g) To consider resolution concerning assessment of 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	\$253.00

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

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

NO: None

ABSENT: Councilman Longo

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 \$2,079,574.35

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

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

NO: None

ABSENT: Councilman Longo

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

Kate Hartwyk, Essex County Liaison – Ms. Hartwyk announced additional upcoming County sponsored events, particularly Senior Wellness Day on October 27.

Robert O’Toole; 3 Old Orchard Court – Mr. O’Toole expressed his appreciation of the Township’s 9-11 remembrance ceremony. Mr. O’Toole also commended the County Executive for the County’s ceremony.

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 September 12, 2016.
2. The general nature of the subject matters to be discussed is potential litigation by residential property owners.

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

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

NO: None

ABSENT: Councilman Longo

9. ADJOURNMENT

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

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

NO: None

ABSENT: Councilman Longo

The meeting adjourned at 7:35 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK