

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

PUBLIC MEETING

MINUTES

NOVEMBER 2, 2015

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilman Kumburis, Maffucci, Mayor Chiusolo

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

Also Present: Councilman Longo and Deputy Mayor Tanella

The invocation was given by Mayor Chiusolo followed by the flag salute.

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 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. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

(a) Presentation to Susan G. Foundation – Deputy Tax Collector Nancy Walsh presented Susan G. Komen Foundation representative and survivor Sharon Slosarik proceeds raised (\$2,325.00) from the Township’s first annual Breast Cancer Awareness Walk.

(b) Presentation of Recreation Advisory Board Award – Mayor Chiusolo presented the 2015 RAB Award to Bill Fearon.

3. APPROVAL OF MINUTES

(a) To consider approval of regular public meeting minutes of June 1, 2015

There was consensus to table approval until the next regular public meeting.

(b) To consider approval of regular public meeting of October 19, 2015

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

4. PUBLIC HEARING

(a) To consider adoption of Pending Ordinance # 15-787, Amending Chapter 268 of the Township Code entitled “Zoning”

The ordinance was read by title only as follows:

AN ORDINANCE AMENDING CHAPTER 268 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE ENTITLED "ZONING"

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

Councilman Kumburis 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 Maffucci, and passed by the following vote:

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

5. 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.

6. REPORTS OF TOWNSHIP OFFICIALS

(a) Township Manager – The Manager recounted a donation made to the Township from the Scott Richardson Foundation in his memory. The Manager advised that the donation was used to defray the costs of the concession stand and subsequent plaque dedication. There was consensus to schedule a ribbon cutting ceremony. The Township Manager requested an executive session to discuss PBA negotiations and two personnel matters regarding DPW and the Tax Assessor.

(b) Township Clerk – The Township Clerk noted the poll hours for the General Election on November 3rd.

(c) Township Attorney – Attorney Zielinski suggested that COAH Counsel Jeffrey R. Surenian attend a Council meeting to provide an update on COAH litigation, to which the governing body agreed.

(d) Other Reports

Councilman Maffucci suggested creation of a committee for Downtown revitalization. Mayor Chiusolo noted several conditions in the downtown business district that have been problematic for other previous revitalization committees. Mayor Chiusolo suggested the Councilman Maffucce present a committee proposal for the governing body's consideration.

Mayor Chiusolo also noted the upcoming General Election that includes filling of an unexpired Council member term. Mayor Chiusolo encouraged residents to exercise their right to vote.

7. NEW BUSINESS

- (a) To consider introduction of Pending Ordinance #15-788, Maximum Allowable Rent Increase

The clerk read the Ordinance by title only:

AN ORDINANCE SETTING THE MAXIMUM ALLOWABLE RENT INCREASE
PURSUANT TO CHAPTER 208 OF THE CODE OF THE TOWNSHIP OF CEDAR
GROVE

BE IT ORDAINED by the Township Council of the Township of Cedar Grove that the maximum allowable rent increase in the Township for the year 2016 pursuant to Chapter 208 of the Code of the Township of Cedar Grove is hereby set at 0.6%.

This Ordinance shall take effect upon final reading, adoption, and publication in accordance with the law.

Councilman Maffucci moved that Pending Ordinance #15-788 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of December 7, 2015, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

- (b) To consider resolution concerning 2016 municipal holidays

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 the following official holidays shall be observed by the Township of Cedar Grove for the year 2016.

2015 HOLIDAY SCHEDULE

January 1	Friday	New Year's Day
January 18	Monday	Martin Luther King Day
February 15	Monday	President's Day
March 25	Friday	Good Friday
May 30	Monday	Memorial Day
July 4	Monday	Independence Day
September 5	Monday	Labor Day
October 10	Monday	Columbus Day
November 11	Friday	Veteran's Day
November 24	Thursday	Thanksgiving Day
November 25	Friday	Thanksgiving
December 26	Monday	Christmas Day

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

(c) To consider resolution concerning special item of revenue – Body Armor Replacement 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 2015 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 2015 in the sum of \$2,941.63, which is now available as a revenue from the Body Armor Replacement Fund Program, which is administered by the Division of Criminal Justice, pursuant to the provision of statute; and

BE IT FURTHER RESOLVED that a like sum of \$2,941.63 is hereby appropriated under the caption:

Body Armor Replacement Fund Program \$2,941.63

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

8. 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 \$3,508,992.34

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

9. CONTRACTS AND AGREEMENTS

- (a) To consider resolution awarding contract for professional engineering design services for Francisco Ave. Pump Station Upgrade

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

WHEREAS, The Township has a need for professional engineering design services for the Francisco Ave. Pump Station Rehabilitation project; and

WHEREAS, pursuant to advertising duly made for a fair and open contract in accordance with N.J.S.A. 19:44A-20.1 et. seq., proposals were received and publicly opened by the Township Clerk on October 14, 2015 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Hatch Mott MacDonald	\$ 50,000.
H2M Architects & Engineers	\$ 68,300.

WHEREAS, the Municipal Engineer has recommended that a contract for the above referenced professional services be awarded to Hatch Mott MacDonald; and

WHEREAS, funds are now available for this purpose in Bond Ordinance No. 14-773 .

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

1. The Township manager is hereby authorized and directed to execute an agreement with Hatch Mott MacDonald of Millburn, NJ, for an amount not to exceed \$ 50,000.00 in accordance with the proposal dated October 14, 2015
2. This agreement is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the technical of the professional services required for this project; and
3. A notice of this agreement shall be published in the Verona-Cedar Grove Times as required by law.

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

10. 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 on any item on the agenda. There being no one present wishing to be heard, Mayor Chiusolo 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 November 2, 2015.
2. The general nature of the subject matters to be discussed is PBA negotiations, personnel regarding the Tax Assessor, and personnel regarding DPW.
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 Maffucci moved adoption of the resolution, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

11. ADJOURNMENT

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

AYE: Councilman Kumburis, Maffucci, Mayor Chiusolo

NO: None

ABSENT: Councilman Longo, Deputy Mayor Tanella

JOSEPH CHIUSOLO MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK