

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

**PUBLIC MEETING**

**MINUTES**

**NOVEMBER 7, 2016**

**1. ROLL CALL 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. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL**

a) Presentation of Proclamation – Pancreatic Cancer Awareness Day

Mayor Tanella presented a proclamation to Cedar Grove resident and Pancreatic Cancer Action Network volunteer Ann Marie McCabe.

b) Receive Essex County Surrogate Theodore Stephens

Surrogate Stephens provided information regarding the services provided by the Surrogate's Office; estate matters, adoption and guardianship. Surrogate Stephens also noted that there is a satellite office located at the Turtle Back Zoo campus.

c) Presentation of Recreation Advisory Board Award

Mayor Tanella presented the individual annual RAB award to Mike Brown, for his long term involvement in the baseball, football and wrestling programs.

d) Presentation to Susan G. Komen Foundation

Deputy Mayor Maffucci presented a check in the amount of \$4415.00 from the Township-sponsored 2<sup>nd</sup> annual Breast Cancer Awareness Walk to Gina Fernicola, from the Susan G. Komen Foundation.

**3. APPROVAL OF MINUTES**

(a) To consider approval of regular public meeting minutes of October 3, 2016

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

AYE: Councilman Kumburis, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSENT: Councilman Longo

**4. PUBLIC HEARING**

- (a) To consider adoption of Pending Ordinance #16-800 Amending Chapter 251 of the Township Code entitled “Vehicles and Traffic”

The ordinance was read by title only as follows:

AN ORDINANCE AMENDING CHAPTER 251 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE, ENTITLED “VEHICLES AND TRAFFIC.”

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

Councilman Cicala 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, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSENT: Councilman Longo

**5. AWARD OF BID**

- (a) To consider resolution rejecting bid for Furnishing of Equipment and Personnel for Snow Plowing

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, a sole bid was received for the furnishing of equipment and personnel for snow plowing and publicly opened and read by the Township Clerk on September 16, 2016 as follows:

<b>BIDDER</b>	<b>ITEM #1 TRUCK, PLOW &amp; OPERATOR</b>	<b>ITEM #2 TRUCK H/D PLOW &amp; OPERATOR</b>	<b>ITEM #3 TRUCK, S/SPREADER &amp; OPERATOR</b>	<b>ITEM #4 4-WHEEL DRIVE LOADER</b>	<b>ITEM #5 TANDEM DUMP TRUCK</b>
A.E. Recchia, Inc. Cedar Grove, NJ	\$188.00	\$198.00	\$221.00	\$171.00	\$121.00

**WHEREAS**, the bid submitted has been reviewed by the Township Manager and Municipal Engineer; and

**WHEREAS**, the sole bid substantially exceeds the appropriation for the service.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the bid for furnishing of equipment and personnel for snow plowing be rejected in accordance with NJSA 40A:11-13.2(b).

**BE IT FURTHER RESOLVED** that the project be re-bid.

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

**6. 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.

**7. REPORTS OF TOWNSHIP OFFICIALS**

(a) Township Manager – The Manager noted the Municipal Engineer’s memo recommending award of contract for professional engineering design services for the reconstruction of Cedar Street, to which the governing body agreed. The Manager provided the current guidelines pertaining to water/sewer bill adjustments and recommended discussion at the next staff meeting, to which the governing body agreed. Mr. Tucci noted a request from a resident for temporary street closing to accommodate an annual holiday lighting and fundraiser on Union Street, to which the governing body agreed. The Manager also provided a proposal from the Fire Dept. pertaining to LOSAP for review and discussion at next staff meeting. Mr. Tucci noted a request from the Elks Club for waiver of annual amusement device license fee to which the governing body agreed. The Manager announced the upcoming retirement of Police Chief Richard Vanderstreet as of November 30, 2016.

(b) Township Clerk – The Clerk noted correspondence from Essex Vicinage of Superior Court regarding criminal justice reform. There was consensus for the Clerk to the Vicinage’s request to schedule an informational presentation by Court representative. Ms. Stutz noted a resident’s letter of interest regarding appointment to Library Board of Trustees. The Township Clerk announced the polling hours for the November 8<sup>th</sup> General Election (from 6am to 8pm). The Clerk also noted that the North End School polling site (District 8) has been relocated to Memorial Middle School for this election only.

(c) Township Attorney – No report

(d) Other Reports

Mayor Tanella requested an executive session to discuss a personnel matter regarding board/committee term expiration. Mayor Tanella announced that K. Hovnanian has retained a consultant for preparation of a concept design for a turf field on Board of Education property at LRP school.

Councilman Cicala acknowledged the presence of Boy Scout Leader John Green and several scouts in attendance to earn a merit badge. Councilman Cicala thanked the governing body for the opportunity to temporarily fill a vacant councilmember position. Councilman Cicala also thanked the

Township Manager, Attorney, and Clerk for their support and assistance during his brief tenure in the event he is not the successful candidate in November 8<sup>th</sup> election.

Councilman Kumburis read a prepared statement in which he took exception to a land preservation/acquisition idea proffered by Councilman Cicala during his election campaign effort. Councilman Kumburis also addressed Mayor Tanella regarding several instances in which he (Councilman Kumburis) felt that he was excluded from discussion and/or decision making. Councilman Kumburis also criticized Mayor Tanella for decisions made without full consent/knowledge of all governing body members and disclosure of information related to matters discussed in executive session. Councilman Cicala and Mayor Tanella responded and refuted statements made by Councilman Kumburis during a lengthy discussion.

Deputy Mayor Maffucci voiced his disappointment in Councilman Kumburis' choice of venue to discuss/raise personal issues of concern and questioned the Councilmember's intentions.

**8. CONSENT AGENDA**

- (a) To consider resolution concerning approval of raffle applications – PTO Nutley High School

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>
PTO Nutley High School 300 Franklin Ave. Nutley, NJ 07110	On-Premise Merchandise January 13, 2017 at 6:00 – 11:00 p.m. 691 Pompton Ave., Cedar Grove NJ
PTO Nutley High School 300 Franklin Ave. Nutley, NJ 07110	On-Premise 50/50 January 13, 2017 at 6:00 – 11:00 p.m. 691 Pompton Ave., Cedar Grove

**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 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

- (b) To consider resolution concerning approval of raffle application – St. Catherine of Siena HSA

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**

St. Catherine of Siena HSA  
 39 E. Bradford Ave.  
 Cedar Grove NJ 07009

Calendar Raffle to be held Jan. 10, 24,  
 Feb. 14, 28, March 14, 28, 2016 at 8:30 a.m.  
 39 E. Bradford 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 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

- (c) To consider resolution concerning approval of raffle application – St. Catherine of Siena HSA

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:

**APPLICANT**

**EVENT, DATE, TIME, AND PLACE**

St. Catherine of Siena HSA  
 39 E. Bradford Ave.  
 Cedar Grove, NJ 07009

Monthly Off-Premise 50/50 Raffle  
 1/31, 2/28, 3/31, 4/30, 5/31, 6/30, 7/31, 8/31,  
 9/30, 10/31, 11/30, 12/31/2017  
 39 E. Bradford Ave., 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 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

(d) To consider resolution concerning approval of raffle application – Wayne Council of PTO

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:

APPLICANT

Wayne Council of PTO’s  
50 Nellis Drive  
Wayne NJ 07470

EVENT, DATE, TIME, AND PLACE

On-Premise Merchandise Raffle to be held  
March 15, 2017 at 5:00 – 10:00 p.m.  
at 691 Pompton Ave. Cedar Grove NJ 07009

**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 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. NEW BUSINESS**

(a) To consider introduction of Pending Ordinance #16-801 Amending Chapter 198 of the Township Code entitled “Property Maintenance”

The clerk read the Ordinance by title only:

**AN ORDINANCE AMENDING PART II ENTITLED “GENERAL LEGISLATION,” CHAPTER 198 ENTITLED “PROPERTY MAINTENANCE, RESIDENTIAL” TO ADD SECTION 198-7 ENTITLED “MAINTENANCE OF ABANDONED RESIDENTIAL PROPERTIES”**

**WHEREAS**, pursuant to N.J.S.A. 40:48-2.12s, the Township Council may adopt an ordinance to regulate the care, maintenance, security, and upkeep of the exterior of vacant and abandoned residential properties on which a summons and complaint in an action to foreclose has been filed; and

**WHEREAS**, the Township Council finds that vacant and abandoned properties within the Township pose a hazard to the health, safety, and welfare of the public; and

**WHEREAS**, the Township Council has determined that an ordinance regulating vacant properties is necessary to carry out the purposes stated herein; and

**NOW, THEREFORE, BE IT ORDAINED,** BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, Part II of *The Township of Cedar Grove Municipal Code* entitled “General Legislation,” Chapter 198 entitled “Property Maintenance, Residential” is hereby amended to add Section 198-7 entitled “Maintenance of abandoned residential properties,” which reads as follows:

**Section 1.**

**§ 198-7 Maintenance of abandoned residential properties.**

- A. Purpose.** The Township Council has determined that vacant and abandoned property within the Township of Cedar Grove pose a hazard to the health, safety, and welfare of the public, and therefore enacts this ordinance to regulate the care, maintenance, security, and upkeep of the exterior of vacant and abandoned residential properties on which a summons and complaint in an action to foreclose has been filed.
- B. Responsibility for Maintenance.** The creditor filing the summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of vacant and abandoned residential properties, and if located out-of-state, shall be responsible for appointing an in-State representative or agent to act for the foreclosing creditor.
- C. Enforcement; notice of violation; penalty.**
- a. This section shall be administered and enforced by the Code Enforcement Official.
  - b. Upon determination by the Code Enforcement Official that a creditor has violated this section by failing to provide for the care, maintenance, security, and upkeep of the exterior of the property, he or she shall issue a notice of violation to the creditor. Such notice shall require the person or entity to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety. The issuance of a notice pursuant to this paragraph shall constitute proof that a property is “vacant and abandoned” for the purposes of P.L.2012, c. 70 (C.2A:50-73).
  - c. A creditor found by the Township of Cedar Grove Municipal Court, or by any other court of competent jurisdiction, to be in violation of the requirement to correct a care, maintenance, security, or upkeep violation cited in a notice issued pursuant to this section shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.
- D. Out-of-State creditors; penalty.**
- a. An out-of-State creditor shall include the full name and contact information of the in-State representative or agent in the notice advising the Township Clerk that a summons and complaint in an action to foreclose on a mortgage has been served, as required by paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

- b. An out-of-State creditor found by the Township of Cedar Grove Municipal Court, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph (1) of subsection a. of section 17 of P.L.2008, c. 127 (C.46:10B-51).

### Section 2:

All ordinances of the Township of Cedar Grove which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

### Section 3.

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.

### Section 4.

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

Deputy Mayor Maffucci moved that Pending Ordinance #16-801 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of December 5, 2016, 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 introduction of Pending Ordinance No. 16-802 establishing 2017 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 2017 pursuant to Chapter 208 of the Code of the Township of Cedar Grove is hereby set at 1.5%.

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

Councilman Cicala moved that Pending Ordinance #16-801 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of December 5, 2016, 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

(c) To consider resolution concerning 2017 Police Dept. salaries

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 did adopt Ordinance No. 15-789 fixing salary grades and ranges, wages and fees of the officers of the Cedar Grove Police Department of the Township of Cedar Grove; and

**WHEREAS**, said ordinance provides that the Township Council shall, by resolution, fix the salary of each officer within the salary ranges as set forth in Section One of the Salary Ordinance.

**NOW, THEREFORE BE IT RESLOVED** by the Township Council of the Township of Cedar Grove, that the salaries as hereinafter enumerated shall constitute the salaries for the Fiscal Year 2017, which shall become effective January 1, 2017 for officers of the Cedar Grove Police Department covered under Section One of the Salary Ordinance.

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

(d) To consider resolution concerning 2017 DPW employee salaries

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

**WHEREAS**, The Township Council of the Township of Cedar Grove did adopt Ordinance 15-786, fixing salary grades and ranges, wages and fees of certain employees within the Department of Public Works of the Township of Cedar Grove; and

**WHEREAS**, said ordinance provides that the Township Council shall, by resolution, fix the salary of each employee within the salary ranges as set forth in Section One of the Salary Ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the salaries as hereinafter enumerated shall constitute the salaries for Fiscal Year 2017 for the employees covered under Section One of the Salary Ordinance, represented by the Township of Cedar Grove Employees' Association.

<u>GRADE</u>	<u>JOB CLASSIFICATIONS</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
3	Maintenance Worker	\$34,591.	\$55,708.
4	Equipment Operator	40,000.	58,102.

5	Sewer Plant Operator	42,000.	60,182
6	Mechanic Auto/Sewer/Water	45,000.	70,019.
7	Engineering Aide	47,000.	70,482.
8	Parks/Grounds Department Foreman Road Department Foreman Water Department Foreman Sewer Department Foreman Senior Engineering Aide	57,246.	85,977.
9	Superintendent	81,906.	106,214.

<u>EMPLOYEE</u>	<u>SALARY</u>	<u>GRADE</u>	<u>LONGEVITY</u>	<u>JOB TITLE</u>
Bahaw, Robbie	\$38,368.	3	—	Maint. Worker
Bellino, Harold	50,754.	3	—	Maint. Worker
Bennett, Daniel	38,368.	3	—	Maint. Worker
Brown, Gerard	38,368.	3	—	Maint. Worker
Calabrese, Eugene	49,417.	3	—	Maint. Worker
King, Timothy	53,627.	3	—	Maint. Worker
McElroy, Michael	47,657.	3	—	Maint. Worker
Mesce, Robert	52,794.	3	—	Maint. Worker
Smolls, Donald	38,368.	3	—	Maint. Worker
Struck, Thomas	52,754.	3	—	Maint. Worker
Resciniti, Thomas	54,350.	4	—	Equip. Operator
Hunter, William	56,356.	4	—	Equip. Operator
Webb, David	56,356.	4	—	Equip. Operator
Lavin, James	54,686.	5	—	Sewer Plant Operator
Cuccinello, Adrian	55,082.	5	—	Sewer Plant Operator
DiGeronimo, Peter	\$69,107.	6	—	Auto Mechanic
Gialanella, Michael	57,836.	6	—	Water Mechanic
Grasso, Michael	66,943.	6	—	Water/Sewer Mechanic
Hopper, Andrew	57,591.	6	—	Sewer Mechanic
Donovan, Dan	61,127.	7	—	Engineering Aide
Bailey, Jeffrey	61,559.	8	—	Parks Foreman
Jorn, Michael	85,575.	8	—	Water Dept. Foreman
Locascio, Joseph	76,837.	8	—	Senior Engineering Aide
Vitiello, Jerry	94,616.	9	—	Superintendent

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

(e) To consider resolution designating 2017 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 2017.

**2017 HOLIDAY SCHEDULE**

January 2	Monday	New Year's Day
January 16	Monday	Martin Luther King Day
February 20	Monday	President's Day
April 14	Friday	Good Friday
May 29	Monday	Memorial Day
July 3	Monday	Independence Day
July 4	Tuesday	Independence Day
September 4	Monday	Labor Day
October 9	Monday	Columbus Day
November 23	Thursday	Thanksgiving Day
November 24	Friday	Thanksgiving
December 25	Monday	Christmas Day

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

(f) To consider resolution concerning 2016 Fire Dept. stipends and mileage allowance

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:

**WHEREAS**, the Township Council of the Township of Cedar Grove shall establish the following 2016 fee schedule for stipends and mileage allowance for volunteer firemen of the Township of Cedar Grove:

Fire Chief	\$1,616.00
Deputy Fire Chief	\$ 1,010.00
Fire Captains	\$ 505.00
Fire Lieutenants	\$ 379.00

Fire Chiefs Secretary	\$ 909.00
Fire Prevention Bureau Dir.	\$ 707.00
Fire Inspector	\$ 303.00
Fire Prev. Bureau Secretary	\$ 303.00
Fire Dept. Secretary	\$ 177.00
Fire Relief Secretary	\$ 379.00
NFIR Secretary	\$ 404.00
Public Relations Info Officer	\$ 303.00
Clothing Allowance	\$ 880.00
Fire Prevention Bureau Mileage	\$ 96.00
IT Support	\$ 222.00
Respirator Protection Officer	\$ 303.00
Drivers/SCBA	\$ 152.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that 2016 fee schedule for stipends and mileage allowance for Volunteer Firemen be hereby established.

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

(g) 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**, the 2016 Extended Tax Duplicate inadvertently reflects the assessed valuation for Mark & Frances Shoenfield of 152 Franklin Street, Cedar Grove, NJ, Block – 11 Lot – 7 to be \$629,700 and the 2016 tax levy in the amount of \$14,464.21; and

**WHEREAS**, the correct 2016 assessed valuation for Mark & Frances Shoenfield of 152 Franklin Street, Cedar Grove, NJ, Block - 11 Lot – 7 should be reflected as \$402,900 and the 2016 tax levy in the amount of the \$9,254.61; and

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

2016 Tax Levy Cancellation

<u>Block</u>	<u>Lot</u>	<u>Owner &amp; Location</u>	<u>Tax Cancellation and Tax Refund</u>
11	7	Mark & Frances Shoenfield 152 Franklin Street Cedar Grove, NJ 07009	\$5,209.60

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

- (h) To consider resolution concerning purchase of police vehicle through Morris County Cooperative Contract

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-A for police pursuit vehicles; and

**WHEREAS**, the contract amount for one police pursuit vehicle will not exceed \$28,373.50; and

**WHEREAS**, the funds are available to satisfy our obligations under this contract through the Reserve for Self-Insurance and 2016 Municipal Budget Police – Other Expenses.

**NOW THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove authorize the Township of Cedar Grove to purchase from the Morris County Cooperative Pricing Council Contract #15-A for one police pursuit vehicle from Beyer Ford for an amount not to exceed \$28,373.50.

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

- (i) To consider resolution concerning assessment of liens

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
273	13	Bennett P. & Susan Renda 22 The Fairway Cedar Grove, NJ 07009	\$172.50

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

(j) To consider resolution concerning cancellation of water and sewer penalties

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

**WHEREAS**, it has been determined upon investigation of the Township Manger that the water and sewer penalties assessed to the accounts listed herein should be cancelled:

<u>Name &amp; Address</u>	<u>Water Penalties</u>	<u>Sewer Penalties</u>	<u>Total Cancelled</u>
Paul Palumbo 23 Young Avenue Cedar Grove, NJ 07009 Acct. No. 2-1906300	<u>\$6.11</u>	<u>\$8.70</u>	<u>\$14.81</u>
Jerome & Barbara Mortenson 33 Skytop Road Cedar Grove, NJ 07009 Acct. No. 2-2206000	<u>\$6.58</u>	<u>\$8.70</u>	<u>\$15.28</u>

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove that the Chief Financial Officer is hereby authorized to cancel the water and sewer penalties for the above accounts.

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

(k) To consider resolution concerning dedication by rider for electronic receipting fees

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

RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR ELECTRONIC RECEIPTING FEES REQUIRED BY N.J.A.C. 5:30-9

WHEREAS, permission is required of the Director of Local Government Services for approval as a dedication by rider of revenues received by the Township of Cedar Grove when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-9 provides for the receipt of convenience fees charged for electronic filing of documents by the Township of Cedar Grove to provide for the operating costs to administer the receipt and processing of electronically filed documents; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Electronic Receipt of Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Electronic Receipt Fees authorized under N.J.A.C. 5:30-9; and

BE IT FURTHER RESOLVED, that the Township Clerk of the Township of Cedar Grove of the County of Essex is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.

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

- (1) To consider resolution concerning establishment of convenience fee

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

WHEREAS, N.J.A.C. 5:30-9 permits a local unit to establish a convenience fee based upon a percentage of the transaction or a flat fee to offset the costs of electronic receipt transactions; and

WHEREAS, it is the desire the Township of Cedar Grove to establish a convenience fee of 2.95% of the transaction when a resident uses either a credit or debit card and \$1.00 when the resident uses an electronic check; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey does hereby authorize the establishment of a convenience fee of 2.95% of the transaction when a resident uses either a credit or debit card and \$1.00 when a resident uses an electronic check.

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

**10. 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 \$4,310,988.31

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

AYE: Councilman Kumburis, Deputy Mayor Maffucci, Mayor Tanella

NO: None

ABSENT: Councilman Longo

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

Charles Dovico; 111 Holly Lane – Mr. Dovico inquired the status of the Master Plan review and update. The Manager explained the process involved in a Master Plan review and anticipated the process to commence within the next two months. Mr. Dovico referred to previous discussion (June) regarding swimming pool utility revenue shortfall. Mr. Dovico inquired if any decisions have been made on the means to resolve the shortfall. The Manager advised that the anticipated shortfall is less than projected and further discussions will take place during the budget hearing process.

Todd St. Vincent; 25 Oak Drive – Mr. Vincent spoke on behalf of the local lacrosse league. Mr. St. Vincent noted a shortage of field space to accommodate various township sports for practice purposes and offered a potential solution. Mr. St. Vincent provided information regarding a “lacrosse wall” to provide practice space in a smaller off-field area.

Paul Burns; 2 Elm Drive – Mr. Burns voiced his opposition to any additional athletic field on Board of Education property at Leonard R. Parks School.

**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 7, 2016.
2. The general nature of the subject matters to be discussed is a personnel matter concerning term expiration.



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.

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

## **12. ADJOURNMENT**

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

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

NO: None

The meeting adjourned at

\_\_\_\_\_  
PETER H. TANELLA      MAYOR

ATTEST:

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