

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

COUNCIL STAFF MEETING

**MINUTES
7:00 P.M.**

NOVEMBER 16, 2015

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Chiusolo called the meeting to order at 7:00 p.m. and 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, filed with the Township Clerk, and posted on the public bulletin board in the Municipal Building's lobby in accordance with the Open Public Meetings Act.

Present: Councilman Kumburis, Longo, Maffucci, Deputy Mayor Tanella, Mayor Chiusolo
Also Present: Township Manager Tucci, Township Clerk Stutz

2. APPROVAL OF MINUTES

- a) Executive Session – October 19, 2015

Deputy Mayor Tanella moved approval and release of the minutes as presented, seconded by Councilman Maffucci, and passed unanimously.

- b) Staff Meeting – October 26, 2015

Councilman Maffucci moved approval of the minutes as presented, seconded by Councilman Kumburis, and passed unanimously.

- c) Executive Session – October 26, 2015

Deputy Mayor Tanella moved approval of the minutes as presented, seconded by Councilman Kumburis, and passed unanimously.

- d) Executive Session – November 2, 2015 – Interview

Councilman Kumburis moved approval and release of the minutes as presented, seconded by Councilman Maffucci, and passed unanimously.

- e) Executive Session Session – November 2, 2015

Deputy Mayor Tanella moved approval of the minutes as presented, seconded by Councilman Kumburis, and passed unanimously.

3. TOWNSHIP MANAGER

- a) Finance Dir. Recommendation – The Manager provided the Finance Director’s recommendation for re-appointment of auditor and bond counsel.
- b) Tax Assessor Compliance Plan – The Manager noted correspondence from the Tax Assessor of his intent to seek approval for a Compliance Plan from the County Board of Taxation.
- c) Mun. Engr. Recommendation Award of Contract – The Manager provided the municipal engineer’s recommendation for award of contract for professional engineering design services for the reconstruction of Commerce Road, to which the governing body concurred.
- d) Resident Street Closing Request – The Manager noted a resident street closing request for a holiday lighting event on Union Street, to which the governing body agreed subject to Police Dept. approval.
- e) Tree Lighting Ceremony – Mr. Tucci announced the annual tree lighting ceremony scheduled for December 7th at 7:00 p.m.

The Manager reported that the Board of Education requested a copy of the K. Hovnanian Impact Study. Mr. Tucci noted a request from the Elks Club for waiver of the annual amusement device fee. Deputy Mayor Tanella moved to waive the fee, seconded by Councilman Longo, and agreed to unanimously.

Township Attorney Zielinski joined the meeting at 7:10 p.m.

The Township Manager explained that as a result of notification of bankruptcy filing for Block 293, Lot 21, the Finance Director discovered that the Township is listed as an unsecured nonpriority claim that requires correction by the Township Attorney, to which the governing body agreed. The Manager requested an executive session to discuss COAH litigation and PBA negotiations.

4. **TOWNSHIP ATTORNEY** – Attorney Zielinski referred to correspondence from Day Pitney LLP regarding Block 290 Lot 5 and Block 294 Lot 21. Attorney Zielinski recommended that the Council take no action. Attorney Zielinski provided a memo that explained the governing body’s ability to discuss development concerns with the Zoning Board.
5. **TOWNSHIP CLERK** – The Clerk certified the results of the November 3rd municipal election to fill an unexpired term of one councilmember as follows:

7. NEW BUSINESS

- a) To consider resolution concerning 2015 stipends and mileage allowance for Fire Dept. Volunteers

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 2015 fee schedule for stipends and mileage allowance for volunteer firemen of the Township of Cedar Grove:

Fire Chief	\$1,600.00
Deputy Fire Chief	\$ 1,000.00
Fire Captains	\$ 500.00
Fire Lieutenants	\$ 375.00
Fire Chiefs Secretary	\$ 900.00
Fire Prevention Bureau Dir.	\$ 700.00
Fire Inspector	\$ 300.00
Fire Prev. Bureau Secretary	\$ 300.00
Fire Dept. Secretary	\$ 175.00
Fire Relief Secretary	\$ 375.00
NFIR Secretary	\$ 400.00
Public Relations Info Officer	\$ 300.00
Clothing Allowance	\$ 871.00
Fire Prevention Bureau Mileage	\$ 95.00
IT Support	\$ 220.00
Respirator Protection Officer	\$ 300.00
Drivers/SCBA	\$ 150.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that 2015 fee schedule for stipends and mileage allowance for Volunteer Firemen be hereby established.

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

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

NO: None

- b) To consider resolution concerning appointment of member to Municipal Alliance Committee

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 Patricia Montana be appointed to fill an unexpired term on the Municipal Alliance Committee, effective immediately and terminating December 31, 2016.

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

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

NO: None

- c) To consider resolution concerning 2015 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, Joseph Tschudy of 7 Rose Terrace, Block – 64 Lot – 18, 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 Joseph Tschudy of 7 Rose Terrace, Block – 64 Lot – 18 for the property tax exemption has been allowed by the tax assessor; and

WHEREAS, the 2015 property taxes subject to tax exemption totals \$2,760.69.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required 2015 tax cancellation be made:

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>
64	18	Joseph Tschudy 7 Rose Terrace Cedar Grove, NJ 07009	<u>\$2,760.69</u>

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

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

NO: None

- d) To consider resolution concerning tax reduction granted by Tax Court of NJ

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 2014 - 2015 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:

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>
91	4	Kevin & Diana Lay 16 Upland Way Cedar Grove, NJ 07009	\$962.72

2015 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>
91	4	Kevin & Diana Lay 16 Upland Way Cedar Grove, NJ 07009	\$982.87

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

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

NO: None

- e) To consider resolution concerning approval of raffle license application – 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:

APPLICANT

PTO Nutley High School
300 Franklin Ave.
Nutley, NJ 07110

EVENT, DATE, TIME, AND PLACE

On-Premise Merchandise
January 14, 2016 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 14, 2016 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 Longo moved adoption of the resolution, seconded by Councilman Maffucci, and passed by the following vote:

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

NO: None

f) To consider resolution concerning purchase through sole source 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 desires to upgrade the Ultraviolet Disinfection System at the Cedar Grove Sewer Treatment Plant; and

WHEREAS, all parts and service are sole sourced by Glasco UV and manufactured for and by Glasco UV.

WHEREAS, the contract amount for Ultraviolet Disinfection System will not exceed \$39,720.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 12-740.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorize the Township of Cedar Grove to upgrade and purchase the Ultraviolet Disinfection System at the Cedar Grove Sewer Treatment Plant from Glasco UV for an amount not to exceed \$39,720.00.

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

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

NO: None

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 \$ 2,482,289.12.

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

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

NO: None

9. PUBLIC COMMENT

Mayor Chiusolo opened this portion of the meeting to anyone wishing to be heard.

Robert O'Toole; 3 Old Orchard Ct. – Mr. O'Toole announced the upcoming Fire Dept. Chili Cook-off on November 21st at the Macedonian Church and combination fundraiser to resident State Trooper suffering from cancer.

Charlie Dovico; 111 Holly Lane – President, Four Seasons Homeowners Assoc. – Mr. Dovico requested that the Township hire a private landscaper to maintain the island at the top of Commerce Rd.

Elisa Charters; 30 Forest Hills Way – Ms. Charters requested that the Township consider a development moratorium for any project that would impact traffic at the E. Bradford Ave./Ridge Rd. and E. Bradford Ave. Ave./Pompton Ave. intersections. Ms. Charters also expressed traffic code enforcement concerns regarding the Bradford Ave./Woodstone Drive intersection. Ms. Charters further raised security personnel concerns related to the Coptic Church. The Manager offered to schedule a meeting with concerned residents, Police Dept. representatives, and church representatives.

There being no one else 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 16, 2015.
2. The general nature of the subject matters to be discussed is COAH litigation and PBA negotiations.
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 Tanella moved approval of the resolution, seconded by Councilman Maffucci, and passed by the following vote:

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

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 8:02 p.m. by acclaim.