

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

COUNCIL STAFF MEETING

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

NOVEMBER 21, 2016

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

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

2. EXTRAORDINARY BUSINESS

- a) Receive Michael Jedziniak, Esq. of Jeffrey R. Surenian & Associates

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 21, 2016
2. The general nature of the subject matters to be discussed is COAH litigation.
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 Kumburis joined the meeting at 7:05 p.m. and Councilman Longo joined the meeting at 7:06 p.m.

Councilman Cicala moved approval of the resolution seconded by Deputy Mayor Maffucci and agreed to unanimously.

The staff meeting was temporarily adjourned for the executive session.

3. PUBLIC HEARING

a) 2017 CDBG Application

The Township Manager explained the CDBG program and application requirements. Mayor Tanella opened this portion of the meeting to any one wishing to be heard on this item only. There being no one present wishing to be heard

4. APPROVAL OF MINUTES

a) Staff Meeting – October 17, 2016 (Interviews)

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

b) Staff Meeting – October 17, 2016

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

c) Executive Session – October 17, 2016

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

d) Executive Session – November 7, 2016 (Interviews)

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

e) Executive Session – November 7, 2016

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

Mayor Tanella referred to information provided by the Township Attorney following 11/7/16 executive session for interviews with expiring term Environmental Commission members. . Attorney Zielinski explained the means to correct the incorrect term expiration. Following further discussion of re-appointments there was consensus to re-appoint Mara Silgailis and Lydia Nese only. The Clerk was directed to schedule an interview with Robert Maxwell for 12/21 executive session in response to his letter of interest. The Clerk was also directed to notify all expiring term members accordingly.

5. TOWNSHIP MANAGER

- #### a) Water/sewer bill adjustment guidelines - The Manager explained delivery issues regarding mailing of water/sewer bills and subsequent requests for penalty fee waivers. Following discussion, there was consensus that the governing body review all requests for water/sewer bill adjustments in accordance with established guidelines.

- b) Fire Dept. LOSAP proposal – The Manager presented the Fire Dept. proposal for revision of the LOSAP program to allow for CPI adjustment of contributions, to which the governing body agreed.

6. **TOWNSHIP ATTORNEY** – No report.

7. **TOWNSHIP CLERK** – No report.

8. COUNCIL REPORTS

Councilman Kumburis provided information from the Regional Flood Control Board meeting presented by the Army Corp. of Engineers related to construction of a flood wall to address a 100 year storm plan to address flooding concerns. There followed further discussion including Peckman River maintenance and monitoring efforts undertaken in the Township.

9. NEW BUSINESS

- a) To consider resolution concerning tax cancellations granted by State 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 2013 - 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:

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>
30	51	Kruvant C. & Hetnor Hill Holdings 117 Pompton Avenue Cedar Grove, NJ 07009	\$7,632.73
30	76	Kruvant C. & Hetnor Hill Holdings 135 Pompton Avenue Cedar Grove, NJ 07009	\$3,149.08

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>
30	51	Kruvant C. & Hetnor Hill Holdings 117 Pompton Avenue Cedar Grove, NJ 07009	\$8,620.56
30	76	Kruvant C. & Hetnor Hill Holdings 135 Pompton Avenue Cedar Grove, NJ 07009	\$4,835.60

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>
30	51	Kruvant C. & Hetnor Hill Holdings 117 Pompton Avenue Cedar Grove, NJ 07009	\$2,537.96
30	76	Kruvant C. & Hetnor Hill Holdings 135 Pompton Avenue Cedar Grove, NJ 07009	\$1,950.04

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

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

NO: None

- b) To consider resolution concerning To consider resolution concerning award of contract for professional engineering design services – Keller & Kirkpatrick

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 Reconstruction of Cedar Street from Ridge Road to Crestmont Road 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 June 29, 2016 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Keller & Kirkpatrick	\$ 13,900.
Van Cleef Engr. Assoc.	\$ 15,050.
Neglia Engineering Assoc.	\$ 20,950.
Matarazzo Engineering	\$ 26,000.

WHEREAS, the Municipal Engineer has recommended that a contract for the above referenced professional services be awarded to Keller & Kirkpatrick; and

WHEREAS, funds are now available for this purpose in 2016 Municipal Budget – Improvements to Cedar Street.

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 Keller & Kirkpatrick of Morris Plains, NJ, for an amount not to exceed \$13,900.00 in accordance with the proposal dated June 29, 2016
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 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 purchase through Stat 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 has availed itself of the right to purchase a utility truck, cab and chassis entered into on behalf of the State of New Jersey by the Division of Purchase and Property in the Department of Treasury pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, it is desirable from time to time to purchase a utility truck, cab and chassis under contracts entered into on behalf of the State by the said Division without the necessity of advertising for bids, or in cases where no bids have been received; and

WHEREAS, it is desirable to purchase a utility truck, cab and chassis under such contracts enter into on behalf of the State of New Jersey by said Division during the year 2016;

WHEREAS, funds for the purchase of a utility truck, cab and chassis are available in Bond Ordinance No.16-795.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that the purchase a utility truck, cab and chassis be awarded to Hertrich Fleet Services Inc., through State Contract No. A88759.

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

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

NO: None

- d) To consider resolution concerning cancellation of water/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 & Address</u>	<u>Water Penalties</u>	<u>Sewer Penalties</u>	<u>Total Cancelled</u>
Juan Carlos Aviles 55 Old Orchard Court Cedar Grove, NJ 07009			
Acct. No. 2-2502700	<u>\$53.65</u>	<u>\$37.92</u>	<u>\$91.57</u>
Acct. No. 2-2502701			

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.

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

- e) To consider resolution concerning approval of raffle application – Wayne Council of PTO’s

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>
Wayne Council of PTO’s 50 Nellis Drive Wayne NJ 07470	On-Premise 50/50 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.

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

- f) To consider resolution concerning appointment of Class I Planning Board member

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 Peter Tanella is hereby appointed as the Council Class I Member to the Planning Board of Cedar Grove effective immediately and terminating July 1, 2017.

Deputy Mayor Maffucci 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

- g) 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	\$373.75
140	362	John & Dorothy Szesze 192 Cedar Street Cedar Grove, NJ 07009	\$1,138.50

Councilman Cicala 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

- h) To consider resolution concerning cancellation of tax overpayments

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

WHEREAS, the following tax overpayments appear on the Tax Collector's tax overpayment list: and

WHEREAS, the Tax Collector has determined that actions are required to cancel the following Tax overpayments from the records of the Township of Cedar Grove;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the following tax overpayments be cancelled.

Township of Cedar Grove
Schedule of Tax Overpayments
\$50.00 and Under

<u>BLOCK</u>	<u>LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
41	17	15 Bradford Way	.10
65	21	310 Pompton Avenue	.32
80	1.01	Fairview Avenue	9.81
104	24	26 Winding Way	27.00
146	7	11 Tiffany Court	9.00
150	99	24 Cedar Street	1.13
191	72.03	13 Mawal Drive	.91
210	42	Peckmantown Road	10.00
223	42	464 Ridge Road	12.44
261	51 Co057	22 Glen Rock Road	.10
303	26	63 Anderson Parkway	.10
306	1	103 Lopez Road	.30
311	5	20 Fredrick Court	.22
341	1	Pompton Avenue	.01
350	14	110 East Lindsley Road	.63
		Total	<u>\$72.07</u>

Councilman Longo 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

- i) To consider resolution concerning cancellation of outstanding checks

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

WHEREAS, the Current Fund and Payroll account reconciliations reflect the following stale dated outstanding checks:

<u>CURRENT FUND</u>		
<u>Check Number</u>	<u>Date</u>	<u>Amount</u>
54104	4-6-15	\$ 104.04
54173	4-6-15	25.70
54458	5-4-15	45.35
54496	5-18-15	24.20
55558	10-19-15	629.40
55787	11-2-15	106.72
56188	12-21-15	24.20
56205	12-21-15	10.00
56290	12-21-15	<u>10.00</u>
		<u>\$979.61</u>

<u>PAYROLL ACCOUNT</u>		
<u>Check Number</u>	<u>Date</u>	<u>Amount</u>
9434	6-10-15	\$90.80
9596	7-8-15	70.46
9721	7-22-15	534.74
9816	7-22-15	770.66
9932	8-5-15	62.45
9968	8-5-15	402.41
9978	8-5-15	340.03
10081	8-19-15	288.82
10091	8-19-15	261.50
10181	9-2-15	131.75
10273	9-16-15	35.13
10806	12-31-15	<u>173.44</u>
		<u>\$3,162.19</u>

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the above listed checks are hereby voided and cancelled.

Deputy Mayor Maffucci 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

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 \$ 2,536,328.55.

Deputy Mayor Maffucci 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

11. PUBLIC COMMENT

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

12. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 8:30 p.m. by acclaim.