

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

**COUNCIL STAFF MEETING**

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

**DECEMBER 19, 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, Kumburis, Longo, Deputy Mayor Maffucci, Mayor Tanella  
Also Present: Township Attorney Zielinski, Township Clerk Stutz

**2. APPROVAL OF MINUTES**

- a) Executive Session – November 7, 2016

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

- b) Staff Meeting – November 21, 2016

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

**3. TOWNSHIP MANAGER – No report**

**4. TOWNSHIP ATTORNEY – No report.**

**5. TOWNSHIP CLERK –** The Clerk noted a request for release of performance bond from K. Hovnanian and Municipal Engineer's recommendation for release, to which the governing body agreed. The Clerk also noted the Municipal Engineer's recommendation for award of bid for Francisco Avenue Pump Station Upgrades to the apparent low bidder A.C. Schultes, to which the governing body agreed.

**6. COUNCIL REPORTS**

Deputy Mayor Maffucci requested to move forward with introduction of the proposed ordinance to establish a Downtown Advisory Committee and appoint members. Attorney

Zielinski advised that the ordinance must be adopted prior to appointment of members, which is a separate action of the governing body memorialized by resolution. Following review and discussion of proposed ordinance there was consensus that membership terms should be for three years rather than five and to introduce at next meeting.

Councilman Cicala reported that the Municipal Alliance Committee was unable to meet in December because of a lack of quorum.

## 7. CONSENT AGENDA

- a) To consider resolution concerning re-appointment of Planning Board members

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, County of Essex, New Jersey, that Edward Cadillo be re-appointed as a member of the Planning Board for a four-year term, effective January 1, 2017 and terminating December 31, 2020.

**BE IT FURTHER RESOLVED** that Richard Hamilton be re-appointed as the Class II member of the Planning Board for a one-year term, effective January 1, 2017 and terminating December 31, 2017.

Deputy Mayor Maffucci 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 re-appointment of Advisory Health Council 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, County of Essex, New Jersey, that Michael Marchese be re-appointed as a member of the Advisory Health Council for three-year terms, effective January 1, 2017 and terminating December 31, 2019.

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

- c) To consider resolution concerning re-appointment of Environmental Commission members

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, County of Essex, New Jersey, that Mara Silgailis and Lydia Nese be re-appointed as members of the Environmental Commission for three-year terms effective January 1, 2017 and terminating December 31, 2019.

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

- d) To consider resolution concerning re-appointment of Municipal Alliance Committee members

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, County of Essex, New Jersey, that Jeffrey Burrows and Patricia Montana be re-appointed as members of the Alliance for Substance Abuse Prevention Committee for a three-year term, effective January 1, 2017 and terminating December 31, 2019.

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

- e) To consider resolution concerning re-appointment of Recreation Advisory Board members

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, County of Essex, New Jersey, that Michele Cammarata, Rich Mattesky, and Michele Mega be re-appointed as members of the Recreation Advisory Board for three-year terms, effective January 1, 2017 and terminating December 31, 2019.

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

- f) To consider resolution concerning re-appointment of CATV Committee 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, County of Essex, New Jersey, that Thomas Grabas be re-appointed as a member of the CATV Committee for a three-year term, effective January 1, 2017 and terminating December 31, 2019.

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 approval of raffle application – Junior League Montclair Newark

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

Junior League of Montclair Newark  
40 South Fullerton Ave.  
Montclair NJ 07042

EVENT, DATE, TIME, AND PLACE

Off-Premise 50/50 Raffle to be held  
March 14, 2017 at 7:30 p.m.  
170 E Lindsley Rd. 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 Kumburis 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

- h) 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

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

EVENT, DATE, TIME, AND PLACE

On-Premise Merchandise Raffle to be held  
March 10, 2017 at 6:00 – 10:00 p.m.  
39 E. Bradford 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 Kumburis 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

- i) To consider resolution concerning renewal of limousine license for 2017

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

**WHEREAS**, application for limousine license for 2017 has been received from:

<b>APPLICANT</b>	<b>TRADE NAME</b>
Dan Arnautu 28 Haller Dr. Cedar Grove, NJ 07009	S-Class Service, Inc.

**WHEREAS**, a satisfactory investigation has been conducted by the Police Chief.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby approve said applications.

**BE IT FURTHER RESOLVED** that the Township Clerk be directed to renew said limousine license for the above named applicants.

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

- j) To consider resolution concerning renewal of Amusement Business Licenses for 2017

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

**WHEREAS**, the following businesses have applied for renewal of their Amusement Business Licenses for 2017:

<b>APPLICANT</b>	<b>TRADE NAME</b>	<b>LICENSE FOR</b>
Pompton Restaurant Assoc.	Il Tulipano	Night Club
Second Gen Catering Co., Inc.	The Grove	Night Club
Edward Fitzpatrick, Inc.	The Grasshopper	Night Club

**WHEREAS**, the applications have been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above locations comply with local ordinances;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to renew the licenses of the above-named establishments.

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

k) To consider resolution concerning renewal of Amusement Device License for 2017

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

**WHEREAS**, the following entities has applied for renewal of their Amusement Device License for 2017:

<b>APPLICANT</b>	<b>LICENSE FOR</b>
Cedar Grove Elks #2237 Edward Fitzpatrick, Inc.	Juke Box Video Game & Juke Box

**WHEREAS**, the applications have been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above locations comply with local ordinances;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to renew the licenses of the above-named establishments.

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

## **8. NEW BUSINESS**

a) To consider resolution concerning correction of certain 2017 DPW 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.

**WHEREAS**, certain salaries needed correction due to misprint.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the salaries as hereinafter enumerated shall constitute the corrected 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>EMPLOYEE</u>	<u>SALARY</u>	<u>GRADE</u>	<u>JOB TITLE</u>
Bahaw, Robbie	\$36,708.	3	Maint. Worker
DiGeronimo, Peter	\$73,440.	8	Mechanic Auto Foreman
Gialanella, Michael	\$59,876.	6	Sewer Mechanic

Councilman Cicala 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 expenditure of monies by dedication by rider

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

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as dedicated by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 allows municipalities to receive public donations for the Morgan Farm and Museum; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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

1. The Township Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures from public donations received in accordance with N.J.S.A. 40A: 5-29 for the Morgan Farm and Museum as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Township of Cedar Grove is hereby directed to forward two (2) certified copies of this resolution to the Director of the Division of Local Government Services.

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

- c) 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	\$336.38

Councilman Kumburis 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

- d) To consider resolution concerning award of contract for professional services – Jeffrey R. Surenian & Associates

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

**WHEREAS**, there exists a need for the appointment of special legal counsel for affordable housing for the Township of Cedar Grove, and funds are available for this purposes; and

**WHEREAS**, the Township of Cedar Grove desires to enter into an agreement with Jeffrey R. Surenian and Associates, LLC in conjunction with a specific legal matter concerning affordable housing; and

**WHEREAS**, N.J.S.A. 40A:11-5 states “no local unit be required to advertise for bids for professional services”; and

**WHEREAS**, fees for said services shall be paid on an hourly rate basis ranging from \$70.00-\$185.00 per hour in accordance with said agreement; and

**WHEREAS**, funds are available in the 2016 municipal budget.



**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that it does hereby appoint Jeffrey R. Surenian and Associates, LLC to serve as special legal counsel commencing January 1, 2017 and terminating December 31, 2017; and

**BE IT FURTHER RESOLVED** that the appropriate Township officials be authorized to execute and agreement; and

**BE IT FURTHER RESOLVED** that notice of this agreement shall be published in accordance with law.

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

- e) To consider resolution concerning transfer of appropriations

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:4-58 permits certain transfers of appropriations during the last two months of the fiscal year;

**NOW, THEREFORE, BE IT RESOLVED, BY THE** Township Council of the Township of Cedar Grove, that the following transfers of appropriation listed herein in the 2016 Municipal Budget be approved:

### **CURRENT FUND MUNICIPAL BUDGET**

To:

Legal Services and Costs:

Other Expenses	<u>\$15,000.00</u>
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From:

Public Buildings and Grounds:

Salaries and Wages	<u>\$15,000.00</u>
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Councilman Longo 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

## **9. 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

## **10. PUBLIC COMMENT**

Robert O'Toole; 3 Old Orchard Court – Mr. O'Toole extended holidays wishes.

## **11. ADJOURNMENT**

There being nothing further to discuss, the staff council meeting adjourned at 7:25 p.m. by acclaim.