

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

**PUBLIC MEETING**

**MINUTES**

**FEBRUARY 4, 2019**

**1. ROLL CALL, INVOCATION AND FLAG SALUTE**

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

Present: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala  
Also Present: Township Manager Tucci, Township Attorney Semeraro, Township Clerk Stutz  
Absent: Councilman Tanella

The flag salute was led by Mayor Cicala.

Mayor Cicala made the required announcement concerning the Open Public Meetings Act as follows: Adequate notice of this meeting was duly published in the Verona-Cedar Grove Times and the Star Ledger on December 27, 2018, 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**

- a) Ceremonial Administration of Oaths of Police Officers

Mayor Cicala administered the oath of Sergeant to Ptl. Joseph Russomanno and the oath of Lieutenant to Sgt. Ed Conlon. Mayor Cicala provided highlights of each officer's service.

**3. APPROVAL OF MINUTES**

- a) To consider approval of minutes of special public meeting of November 19, 2018

Councilman Kumburis moved approval of the minutes, seconded by Deputy Mayor Vargo, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

- b) To consider approval of minutes of regular public meeting – January 14, 2019

Deputy Mayor Vargo moved approval of the minutes, seconded by Councilwoman Peterson, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

#### 4. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON THE AGENDA

Mayor Cicala 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 Cicala closed this portion of the meeting.

#### 5. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Manager noted a letter from a resident commending DPW employees for snow removal. The Manager reported that the joint public meeting with the Board of Education has been scheduled for March 4<sup>th</sup>.
- b) Township Clerk – No report
- c) Township Attorney – Attorney Semeraro advised receipt of an order from Judge Gardner to conduct a compliance hearing for the Township’s 3<sup>rd</sup> round of affordable housing obligation on April 12, 2019. Attorney Semeraro further noted that a mandatory setback ordinance (MSO) is required to be adopted prior to the hearing and is currently being drafted.
- d) Other Reports

Councilman Kumburis reported that he received complaints from Briarwood Terrace residents of strong smell of gas on Ridge Road.

Councilwoman Peterson – No report

Deputy Mayor Vargo requested an update on the status of Pompton Ave. repaving. The Manager responded that paving is anticipated to commence in late spring. There was discussion concerning submission of final changes from NJDOT pertaining to the Pompton Ave./W.Lindsley Ave/Mountain Ave. intersection and traffic signal timing. The Manager addressed Deputy Mayor Vargo’s inquiry regarding response from the County Executive to Township’s recent correspondence. Mr. Tucci stated that County Executive DiVincenzo communicated that the County has no interest in selling the Police Academy property at this time. Deputy Mayor Vargo discussed the possibility of acquiring VFW property for Township use. The Manager advised that the Township has pursued acquisition of the property on several occasions. Deputy Mayor Vargo reported that Columbia Bank branch manager is seeking Township donation opportunities. Following a brief discussion, the Manager recommended that Deputy Mayor Vargo direct the bank contact to the Manager to determine viable donation opportunities.

Mayor Cicala noted numerous potholes on Bowden Rd. from Lakewood Ave. to Little Falls Rd. The Manager advised that DPW will conduct pothole repair with temporary patch in mild weather until more permanent repairs can be made. Mayor Cicala advised that Congresswoman Sherrill is scheduled to conduct a round table on Monday February 11<sup>th</sup> that he would like to attend, to which the governing body agreed.

6. NEW BUSINESS

a) To consider resolution concerning 2019 fireworks display

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, that it does hereby approve a Fireworks Display to be furnished and executed by Bay Fireworks of Bethpage, New York, at the Cedar Grove Leonard R. Parks Athletic Field on Sunday, June 30, 2019 with a rain date of Tuesday July 2, 2019.

Deputy Mayor Vargo moved adoption of the resolution, seconded by Councilwoman Peterson, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

b) To consider resolution concerning renewal of NJIIF membership

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

WHEREAS, the Municipal Council of the Township of Cedar Grove (hereinafter the "Local Unit") has determined that MEMBERSHIP IN THE New Jersey Intergovernmental Insurance Fund (hereinafter the "Fund) established pursuant to Chapter 372, Laws of 1983 (N.J.S.A. 40A:10-36 et seq), is in the best interest of the municipality.

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

SECTION 1. The Township of Cedar Grove hereby agrees to continue as a member in the "Fund" for a period commencing on 01/01/2019 and terminating on 12/31/2021 for the following types of insurance coverage:

- a) Workers Compensation and Employers Liability
- b) General Liability (including Police Professional & Public Officials Liability);
- c) Motor Vehicle and Equipment Liability Coverage;
- d) Property Damage (including Building & Contents, Automobile Physical Damage, Contractors Equipment, Crime and Boiler & Machinery)
- e) Environmental Impairment Liability
- f) Cyber Liability

SECTION 2. Local Unit agrees to enter into and abide by the terms of the Indemnity and Trust Agreement, attached hereto as Exhibit 1. Local Unit hereby authorizes and directs Township of Cedar Grove to execute the Indemnity and Trust Agreement and such other documents as are necessary to comply with the requirements if the Fund.

SECTION 3. The Bylaws of the New Jersey Intergovernmental Insurance Fund are hereby adopted and accepted by the Local Unit and the Local Unit hereby agrees to conduct its membership in the "Fund" according to the rights and obligations set forth therein.

SECTION 4. The Local Unit certifies that it has never defaulted on claims under a self insurance plan and that it has not had its insurance canceled for non-payment of premium for a period of at least two (2) years prior to this application.

SECTION 5. Inconsistent Resolutions. All resolutions or parts thereof that are or may be, inconsistent with provisions of this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 6. Severability. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Resolution shall be deemed valid and effective.

SECTION 7. Effective Date. This Resolution shall take effect upon its passage.

Councilwoman Peterson moved approval of the minutes, seconded by Deputy Mayor Vargo, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

- c) To consider resolution concerning purchase of vehicles through Morris County Co-op

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 Sport Utility Vehicles (SUV) 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 Sport Utility Vehicles (SUV) 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 Sport Utility Vehicles (SUV) under such contracts enter into on behalf of the State of New Jersey by said Division during the year 2019;

**WHEREAS**, funds for the purchase of two (2) Sport Utility Vehicles (SUV) are available in the 2019 Municipal Budget, Police – Other Expenses.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, that the purchase of two (2) Sport Utility Vehicles (SUV) be awarded to Winner Ford, through State Contract No. A88728.

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

AYE: Councilmember Kumburis, Peterson, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

**7. CONTRACT & AGREEMENTS**

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

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-\$200.00 per hour in accordance with said agreement; and

**WHEREAS**, funds are available in the 2019 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, 2019 and terminating December 31, 2019; 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 Vargo moved adoption of the resolution, seconded by Councilwoman Peterson, and passed by the following vote:

AYE: Councilmember Kumburis, Tanella, Deputy Mayor Vargo, Mayor Cicala

NO: None

ABSENT: Councilman Tanella

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

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

Kate Hartwyk; Essex County Liaison – Ms. Hartwyk announced the schedule for the County’s deer management program on Hilltop reservation. Ms. Hartwyk also advised that the County will host a second job fair at Turtle Back Zoo for part-time employment at that location.

**9. ADJOURNMENT**

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

AYE: Councilmember Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala

NO: None

The meeting adjourned at 7:40 p.m.

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JOSEPH CICALA                      MAYOR

ATTEST:

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KATHLEEN R. STUTZ      MUNICIPAL CLERK