

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

**PUBLIC MEETING**

**MINUTES**

**JUNE 3, 2019**

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

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

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

Also Present: Township Manager Tucci, Township Attorney Semeraro, Township Clerk Stutz

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 provided to the Verona-Cedar Grove Times and the Star Ledger on December 28, 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. APPROVAL OF MINUTES**

- a) To consider approval of minutes of regular public meeting of May 6, 2019

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

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

NO: None

**3. PUBLIC HEARING**

- a) To consider adoption of Pending Bond Ordinance #19-841 – Various Capital Improvements

The ordinance was read by title only as follows:

**BOND ORDINANCE AUTHORIZING VARIOUS GENERAL IMPROVEMENTS IN  
AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX,  
NEW JERSEY, APPROPRIATING \$831,000 THEREFORE AND AUTHORIZING  
THE ISSUANCE OF \$740,000 BONDS OR NOTES TO FINANCE PART OF THE  
COST THEREOF**

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

Councilman Tanella 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 Deputy Mayor Vargo, and passed by the following vote:

AYE: Councilman Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
NO: None

- b) To consider adoption of Pending Bond Ordinance #19-842 – Sewer Utility Improvements

The ordinance was read by title only as follows:

**BOND ORDINANCE AUTHORIZING VARIOUS SEWER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$225,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$225,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.**

Mayor Cicala opened the public hearing on this item.

Paul Burns; 2 Elm Drive – Mr. Burns inquired the specific improvements of the bond ordinance. The Manager cited the projects/improvements of all three bond ordinances.

There being no one else present wishing to be heard, Mayor Cicala closed the public hearing.

Deputy Mayor Vargo 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 Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
NO: None

- c) To consider adoption of Pending Bond Ordinance #19-843 – Water Utility Improvements

The ordinance was read by title only as follows:

**BOND ORDINANCE AUTHORIZING VARIOUS WATER UTILITY IMPROVEMENTS IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$385,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$385,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

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

Councilman Kumburis 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 Councilwoman Peterson, and passed by the following vote:

AYE: Councilman Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
NO: None

**4. AWARD OF BID**

- a) To consider resolution awarding bid for Loading, Removal, and Transportation of Leaves

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, bids were received for loading, transportation, and disposal of leaves, and was publicly opened and read by the Township Clerk on April 23, 2019 as follows:

<u>CONTRACTOR</u>	<u>LEAVES/CU. YD</u> (ONE YEAR)	<u>LEAVES/CU. YD</u> (TWO YEAR)
Caputo Bros. Tree Service	\$7.00	\$7.00
S. Rotundi & Sons, Inc.	\$9.45	\$8.49

**WHEREAS**, the Township Engineer, and the Township Attorney have reviewed the bid and recommend awarding the bid to Caputo Bros. Tree Service of Montclair, NJ, the apparent low bidder, for a two year term; and

**WHEREAS**, funds are available for this purpose in the Refuse Collection District Budget.

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the award of bid be made to Caputo Bros. Tree Service of Montclair, New Jersey for the loading, transportation and disposal of leaves in the amount of \$7.00 per cubic yard for a two-year contract term; and

**BE IT FURTHER RESOLVED** that the proper township officials be instructed to execute a contract on behalf of the Township

Councilman Tanella moved adoption of the resolution, seconded by Councilwoman Peterson, and passed by the following vote:

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

NO: None

**5. 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.

**6. REPORTS OF TOWNSHIP OFFICIALS**

a) Township Manager – The Manager thanked the participants of the twenty-ninth annual Clean Sweep Day held Saturday, June 1<sup>st</sup>. Mr. Tucci noted that thirteen groups of all ages participated. The Manager noted a Police commendation issued to Officer Buscio extraordinary investigation of resident’s concern of an individual’s Facebook post. Mr. Tucci also noted resident’s letter of thanks for Officers Schneider and Witel for assistance rendered during a medical emergency. The Manager requested an executive session regarding City of Newark property acquisition negotiations.

- b) Township Clerk – The Clerk provided information regarding the annual renewal of ABC licenses and noted that resolutions will be on the next meeting agenda for eligible licensees.
- c) Township Attorney – Attorney Semeraro noted that certain ordinance are under review for necessary amendment. Attorney Semeraro reported that a letter was sent to request written explanation from NJDOT for denial of permission to paint artistic murals on the interior of trestle over Rt. 23.
- d) Other Reports

Councilman Kumburis extended sympathies to the Crowell and Moroney families on the loss of former Fire Chief Stan Crowell and long-time resident Joe Moroney. Councilman Kumburis thanked residents for their support past four years and commented it was an honor to have served as a Councilman. Councilman Kumburis also thanked the Township Manager for his guidance.

Councilwoman Peterson also extended condolences to the Crowell and Moroney families. Councilwoman Peterson congratulated CGHS softball team for winning Group 1 State Championship title. Councilwoman Peterson thanked the Fire Dept. for the team's escort through town upon returning from the win. Councilwoman Peterson also requested that the governing body recognize the team's achievement, to which the governing body agreed. Councilwoman Peterson further suggested to co-ordinate the recognition with the dedication of the new infield at Panther Park. Deputy Mayor Vargo suggested placement of fence signage such as "Home of Champions" at Panther Park field. There was consensus to further discuss recognition at next staff meeting.

Councilman Tanella requested status updates on the following projects: Rt. 23 paving, Bowden Rd. milling & paving, and tennis courts rehab, multi-sport turf ballfield at LRP, which the Manager provided. Councilman Tanella also suggested fence signage at the tennis courts. Councilman Tanella noted resident concerns regarding speeding on Rugby Road. Councilman Tanella initiated discussion of re-establishment of the senior citizens club, noted senior communication concerns, and club management. Councilman Tanella also suggested that the governing body conduct a review of vacant properties within the Township and recommended further discussion at next staff meeting, to which the governing body agreed. Councilman Tanella requested clarification of scope of trail unification/refurbishment project. The Manager advised that the property will be retained in natural state, and include establishment of walking trails and possibly include location finder stations. The Manger further explained that the project includes clearance/removal of dead/fallen trees from trails for safety purposes.

Deputy Mayor Vargo extended condolences to Crowell and Moroney families, and congratulated Councilman-elect Maceri. Deputy Mayor Vargo thanked participants of recent Downtown Advisory Committee sponsored Cedar de Mayo event. Deputy Mayor Vargo provided details of upcoming DAC sponsored art walk scheduled for June 13<sup>th</sup> at 6:30 p.m. with an after party at Delmonico's. The Manager responded to Deputy Mayor's inquiry concerning status of pedestrian crosswalk on West Bradford Ave. Mr. Tuuci advised that the Township is awaiting response from the County Engineer to proposed plans. Deputy Mayor Vargo also requested an update on meeting with North Caldwell officials and County regarding drainage issues on West Lindsley Road affecting Pilgrim Court and Dogwood Court residents. The Manager advised that the Township Manager, Municipal Engineer, Township Attorney met with the County Engineer and North Caldwell Engineer and Business Administrator to inform them of the drainage issues that have resulted from

development in North Caldwell. The Manager addressed Deputy Mayor Vargo’s request for status of construction of South End Fire House. Mr. Tucci advised that K. Hovnanian anticipates substantial completion by November.

Mayor Cicala reported the Planning Board’s approval of a Heller property application that will provide additional parking for the downtown business area.

**7. CONSENT AGENDA**

- a) To consider resolution concerning approval of raffle application – CG Elks

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

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

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

NO: None

**8. NEW BUSINESS**

- a) To consider introduction of Pending Ordinance #19-844 – 2019 Salaries Unrepresented Employees

The clerk read the Ordinance by title only:

**PENDING ORDINANCE NO. 19-844**

AN ORDINANCE FIXING SALARY GRADES AND RANGES, WAGES AND FEES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF CEDAR GROVE FOR FISCAL YEAR 2019.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE AS FOLLOWS:

Section 1. Unless heretofore created and established in the Township of Cedar Grove, the salary grades and ranges, wages and fees of all officers and employees of the Township of Cedar Grove shall be as follows:

**GROUP I - SALARY GRADES**

<u>Grade</u>	<u>Position Classification</u>	<u>Minimum</u>	<u>Maximum</u>
1	Clerical Assistant Building Maintenance Worker	\$33,619.	\$42,183.
3	Assistant to Township Clerk Department Secretary Accounting/Payroll Assistant Tax/Utility Accounting Assistant Recreation Coordinator	36,771.	53,524.

4	Recreation Maintenance Worker	38,613.	56,005.
5	Communications Operator Deputy Court Clerk Health/Welfare/Sr. Transportation Planning/Zoning Coordinator	41,536.	61,777.
8	Assistant Municipal Treasurer Senior Recreation/Pool Coordinator Records Clerk-Police	47,544.	68,906.
9	Administrative Secretary Municipal Court Administrator Deputy Municipal Tax Collector Assistant Recreation Director	53,560.	79,480.
10	Construction Official/Com. Develop. Dir. Dir. of Assessments/Tax Assessor Director of Recreation	64,211.	95,393.
11	Director of Finance/Tax Collector/CMFO Municipal Engineer/Public Works Director	78,795.	144,282.

		<u>MINIMUM</u>	<u>MAXIMUM</u>
L-2	Library Assistant	17,643.	44,811.
L-3	Technical Library Assistant	22,297.	48,459.
L-4	Senior Library Assistant	26,757.	53,428.
L-5	Principal Library Assistant/Adm. Services	30,103.	58,400.
L-6	Supervising Library Assistant	32,333.	65,854.
L-7	Library Specialist	34,562.	0,795.
L-8	Children's Librarian	39,022.	74,550.
L-9	Senior Children's Librarian	42,367.	80,765.
L-10	Supervising Librarian	48,045.	88,221.
L-11	Library Director	62,435.	107,199.

Group II – Fixed Salaries and Fees

Township Clerk	\$ 91,154/year
Township Manager	195,649/year
Municipal Court Judge	40,147/year
Township Attorney	30,214/year – Non Retainer \$175./hr
Electrical Sub-Code Official	20,020/year
Plumbing Sub-Code Official	20,020/year
Prosecutor	375/session
Public Defender	268/session
Planning Board Attorney	217./session
Zoning Board Attorney	258./session

<u>Position Classification</u>	<u>Group III – Part –Time Hourly</u>	
	<u>Minimum</u>	<u>Maximum</u>
Clerk Typist	\$ 9.26	\$11.35
Life Guards	8.69	14.37
School Traffic Guards	15.15	16.56
Public Health Nurse		22.62
Public Health Nurse/School Nurse		30.51
Municipal Alliance Coordinator		14.65
Bus Driver	15.45	20.71
Recreation Supervisor	8.69	12.72
Recreation Leader	8.69	9.56
Pool Maintenance Worker	8.69	9.56
Recreation Maintenance Worker	8.69	10.72
Public Workers Helper	8.69	13.11
Shelver-Library	8.69	9.66
Library Aides	8.69	9.56
Technical Library Asst.	11.66	25.34
Administrative/Computer Asst.	16.33	32.49
Library Specialist	18.07	35.61
Senior Library Assistant	13.99	26.86
Principal Library	15.76	29.36
Violations Clerk	15.92	20.30

Section 2. The Township Council shall, by Resolution, and in accordance with labor contracts, fix the salary of each officer and employee within the salary range as set forth in Section 1 of the Ordinance.

Section 3. This Ordinance shall take effect twenty (20) days after the first publication after passage pursuant to law. When adopted, the provisions of Section 1 shall be retroactive to January 1, 2019 and shall be deemed to have taken effect as of that date.

Councilwoman Peterson moved that Pending Ordinance #19-844 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of June 17, 2019, seconded by Councilman Tanella, and passed by the following vote:  
 AYE: Councilmember Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
 NO: None

b) To consider resolution concerning establishment of stormwater utility

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

RESOLUTION PROCLAIMING TO LOCAL RESIDENTS AND BUSINESSES THAT THE  
 MUNICIPALITY WILL NOT COLLECT NEW STORMWATER MANAGEMENT OR RAIN  
 TAXES

**WHEREAS**, Bill S1073/A2694 authorizing municipalities and counties to establish stormwater utilities was signed into law by Governor Phil Murphy; and

**WHEREAS**, municipalities or counties that choose to establish a stormwater utility will be allowed to apply an undetermined tax on property and business owners based on the amount of impervious surface they have, often referred to as a rain tax; and

**WHEREAS**, there is no limit to the amount property owners and local businesses can be taxed as long as it can be justified as going towards improving stormwater management, however, 5 percent or \$50,000 of the revenue is required to be paid to the state and another 5 percent can be used for a locality's general fund; and

**WHEREAS**, sewage authorities must adhere to a two-percent cap on annual increases to property owners and businesses, but stormwater utilities will not have to adhere to the cap; and

**WHEREAS**, municipalities and counties already have stormwater systems in place that manage stormwater without the need of creating another level of bureaucracy; and

**WHEREAS**, New Jersey property taxpayers already pay the highest taxes in the nation, and the creation of any new tax is an impossible burden to put on their backs; and

**WHEREAS**, Assemblyman Christopher P. DePhillips is calling on municipalities and counties to come together and signal to their tax-paying residents and businesses that they are aware that New Jersey's tax burden is already too high by making their intentions known through this resolution.

**NOW, THEREFORE BE IT RESOLVED** that the Township Council of the Township of Cedar Grove already has a system in place to manage stormwater and will not create a stormwater utility that would impose new taxes on its residents; and

**BE IT FURTHER RESOLVED**, that the Township Council understands and sympathizes with the heavy tax burden already placed on New Jersey residents and businesses and, therefore, will not charge them an extra tax for having driveways, parking lots and other impervious surface; and

**BE IT FURTHER RESOLVED** that certified copies of this resolution be forwarded to Governor Phil Murphy, Lieutenant Governor Sheila Oliver, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Craig Coughlin, New Jersey Assembly Republican Leader Jon Brammick.

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

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

NO: None

c) To consider resolution concerning estimated tax bills

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

**WHEREAS**, the Essex County Board of Taxation is unable to certify tax rates for the year 2019 in a timely manner; and



**WHEREAS**, without a 2019 certified tax rate the Tax Collector of the Township of Cedar Grove will be unable to issue 2019 tax bills on a timely basis; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, as follows:

1. The Tax Collector of the Township of Cedar Grove is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Cedar Grove for the third installment of 2019 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.
2. The total estimated tax levy for 2019 is \$54,810,257.62. The estimated tax rate for 2019 is \$2.469.

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

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

NO: None

- d) To consider resolution concerning insertion of special item of revenue – Clean Communities

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:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2019 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation of equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2019 in the sum of \$24,271.55, which is now available as a revenue from the Clean Communities Program, which is administered by the Department of Environmental Protection, pursuant to the provision of statute; and

**B IT FURTHER RESOLVED** that a like sum of \$24,271.55 is hereby appropriated under the caption:

Clean Communities Program    \$24,271.55

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

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

NO: None

- e) To consider resolution concerning insertion of special item of revenue – Click It or Ticket

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:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2019 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation of equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2019 in the sum of \$5,500.00, which is now available as a revenue from the Click It or Ticket 2019 Seat Belt Mobilization, which is administered by the Division of Highway Traffic Safety, pursuant to the provision of statute; and

**BE IT FURTHER RESOLVED** that a like sum of \$5,500.00 is hereby appropriated under the caption:

Click It or Ticket 2019 Seat Belt Mobilization    \$5,500.00

Councilman Tanella moved adoption of the resolution, seconded by Councilwoman Peterson, and passed by the following vote:

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

NO: None

- f) To consider resolution concerning insertion of item of special revenue – Non-Public Nursing Services

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:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2019 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation of equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2019 in the sum of \$19,497.00, which is now available as a revenue from the Cedar Grove Board of Education, which is administered by the Department of Education, pursuant to the provision of statute; and

**BE IT FURTHER RESOLVED** that a like sum of \$19,497.00 is hereby appropriated under the caption:

Cedar Grove Board of Education – Non-Public Nursing Services    \$19,497.00

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

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

NO: None

g) To consider resolution endorsing amended Round 3 Housing Element and Fair Share Plan

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

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

**RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF CEDAR GROVE ENDORSING THE TOWNSHIP'S AMENDED ROUND 3 HOUSING ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, on May 21, 2019, the Planning Board of the Township of Cedar Grove, County of Essex, State of New Jersey, adopted an amended Housing Element and Fair Share Plan (“Fair Share Plan”); and

**WHEREAS**, the amended Fair Share Plan addresses the Township’s Mount Laurel obligations as delineated in the court-approved Settlement Agreement between the Township and Fair Share Housing Center, executed on or around November 19, 2018; and

**WHEREAS**, the Township of Cedar Grove remains committed to comply with its constitutional Mount Laurel obligations by voluntarily providing its “fair share” of affordable housing.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Cedar Grove, County of Essex, State of New Jersey, hereby endorses the amended Fair Share Plan as adopted by the Cedar Grove Township Planning Board on May 21, 2019; and

**BE IT FURTHER RESOLVED** that the Council of the Township of Cedar Grove, pursuant to the provisions of N.J.S.A. 52:27D-301 et. seq. hereby authorizes and directs its professionals to immediately file the adopted and endorsed amended Fair Share Plan and all other relevant documents with the Court; and

**BE IT FURTHER RESOLVED** that the Council of the Township of Cedar Grove hereby authorizes and directs its professionals to take any and all actions reasonable and necessary to secure approval of the Township’s amended Fair Share Plan, to maintain the Township’s immunity from any Mount Laurel lawsuits, and to secure a Final Round 3 Judgment of Compliance and Repose; and

**BE IT FURTHER RESOLVED** that, upon seeking approval of its amended Fair Share Plan, all known interested parties shall receive notice of the Township’s actions and requests; and

**BE IT FURTHER RESOLVED** that notice of the Township’s application for approval of its amended Fair Share Plan shall be published in a newspaper of regional circulation and the Township

shall otherwise provide all the notice which the Court deems appropriate as it determines whether the amended Fair Share Plan satisfies the Township's affordable housing responsibilities under applicable laws and consistent with the Settlement Agreement between the Township and Fair Share Housing Center. Said notice shall give the public sufficient time to review the Township's amended Fair Share Plan and offer any comments that the individual or entity may deem appropriate.

Councilman Tanella moved adoption of the resolution, seconded by Councilwoman Peterson, and passed by the following vote:

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

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 \$161,983.92

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

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

NO: None

## **10. 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 provided the dates of free outdoor movie nights in the month of June at Kips Castle. Ms. Hartwyk also announced that the County will again host concerts series throughout its County parks and noted that one concert is scheduled to be held in Cedar Grove Park in August.

Lisa Cassilli; 12 Dogwood Ct. – Ms. Cassilli thanked the Council and Township Manager for looking into the on-going run-off and detention basin issue adjacent to Dogwood Court. Ms. Cassilli requested the name of the firm preparing the engineering report for the Township, which the Manager provided.

There being no one else present wishing to be heard, Mayor Cicala 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 June 3, 2019.
2. The general nature of the subject matters to be discussed is property acquisition, contract negotiations with City of Newark.
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 Tanella moved adoption of the resolution, seconded by Deputy Mayor Vargo, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
NO: None

**11. ADJOURNMENT**

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

AYE: Councilmember Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala  
NO: None

The meeting adjourned at 8:15 p.m.

\_\_\_\_\_  
ROBBIE VARGO                      MAYOR

ATTEST:

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