

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

COUNCIL STAFF MEETING

MINUTES

JUNE 17, 2019

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Cicala called the meeting to order at 7:15 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: Councilmember Kumburis, Tanella, Deputy Mayor Vargo, Mayor Cicala

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

Absent: Councilwoman Peterson

2. APPROVAL OF MINUTES

a) Staff Meeting – May 20, 2019

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

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

NO: None

ABSENT: Councilwoman Peterson

b) Executive Session – May 20, 2019

Councilman Tanella moved approval and release of the minutes as presented, seconded by Deputy Mayor Vargo, and passed by the following vote:

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

NO: None

ABSENT: Councilwoman Peterson

c) Executive Session – June 3, 2019, Interview

Councilman Tanella moved approval and release of the minutes as presented, seconded by Councilman Kumburis, and passed by the following vote:

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

NO: None

ABSENT: Councilwoman Peterson

d) Executive Session – June 3, 2019

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

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

NO: None

ABSENT: Councilwoman Peterson

- 3. TOWNSHIP MANAGER** – The Township Manager provided an update on the status of closing on the Newark watershed property. Mr. Tucci provided two memos from the Finance Director concerning requests for waiver of water/sewer bill penalty fees. Following discussion, Councilman Tanella moved to concur with the recommendations, seconded by Councilman Kumburis and agreed to unanimously. The Manager advised that he received a draft preliminary copy of LRP ballfield design and anticipates receipt for full scale plans next week.
- 4. TOWNSHIP ATTORNEY** – Attorney Semeraro advised that in accordance with the Local Lands and Buildings Law an ordinance is required to effect the acquisition of Newark watershed property and subsequent use and occupancy agreement. Attorney Semeraro provided the necessary ordinance for the 7/15 agenda to which the governing body agreed. Attorney Semeraro explained a municipality's rights and responsibilities regarding renewal of an inactive ABC license. Attorney Semeraro advised that the State Division of ABC adjudicates inactive licenses by requiring the licensee to file a verified petition with the Director (N.J.S.A. 33:1-12.39) after being inactive for more than two license terms. Following further discussion, Deputy Mayor Vargo requested that the Attorney advise actions a municipality may take to bring about the activation and/or sale of an inactive license. Attorney Semeraro commented that following a review of both the rent control ordinance and solicitation ordinance certain amendments to both ordinances are recommended and are being drafted. Attorney Semeraro requested an executive session to discuss a litigation matter regarding the solicitation ordinances. Attorney Semeraro also advised that following review of the bid documents of the three apparent low bidders for the VFW Tank Rehabilitation project, the bid should be awarded to the low bidder.
- 5. TOWNSHIP CLERK** – The Clerk provided information pertaining to expiring term Zoning Board members and a list of board/committee liaison appointments for the annual July 1st reorganization meeting. The Clerk also provided a list of board/committee terms that expire as of December 31st and current vacancies, and letters of interest received. Councilman Tanella recommended re-appointment of the zoning board members to which the governing body agreed. Councilman Tanella also requested earlier notification of expiring Zoning Board terms. The Clerk was requested to schedule interviews with residents that already submitted letters of interest and advertise vacancies and potential openings on all board/committees. There was also consensus to request current CATV members and consultant to meet with the governing body in September. Mayor Cicala announced the appointment of Cynthia Robbins to the Library Board of Trustees. During further discussion, there was consensus to maintain current liaisons, appoint Joseph Maceri to Environmental Commission councilmember vacancy, and appoint Peter Tanella and Joseph Maceri as co-liaisons to senior citizens.

6. COUNCIL REPORTS

Deputy Mayor Vargo reported on behalf of Councilwoman Peterson that Panther Park Field is available on July 8th with a rain date of July 9th for recognition of the CGHS softball team, to which the governing body agreed.

Councilman Kumburis reported that the Environmental Commission received a letter from a prospective developer of CG Garden Center property interested in construction a continuing care facility, requesting historic or archeological information on the property. Councilman Kumburis stated that the Commission agreed to forward the letter to the Historical Society for response. Following discussion, there was consensus that the governing body review the letter.

Councilman Tanella recommended that the governing body undertake a study/review of vacant land within the Township. The Manager advised that a list of both publicly owned and privately owned vacant property has been compiled and suggested input from COAH Planner Banisch for previous report/developability assessment, to which the governing body agreed.

7. NEW BUSINESS

- a) To consider resolution concerning 2019 Salaries of Unrepresented Employees

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

RESOLUTION

WHEREAS, the Township Council of the Township of Cedar Grove did adopt Ordinance No. 19-844 fixing salary grades and ranges, wages and fees of the officers and employees of the Township of Cedar Grove; and

WHEREAS, said ordinance provides that the Township Council shall, by resolution, fix the salary of each officer and employee within the salary ranges as set forth in Section One of the Salary Ordinance.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the salaries as hereinafter enumerated shall constitute the salaries for Fiscal Year 2019 for the officer and employees covered under Section One, Group I, of the Salary Ordinance.

TOWNSHIP OF CEDAR GROVE
ESSEX COUNTY NEW JERSEY

2019 SALARY GUIDE UNREPRESENTED EMPLOYEES

<u>GRADE</u>	<u>JOB CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
1	Clerical Assistant Building Maintenance Worker	\$33,619.	\$42,183.

3	Accounting/Payroll Assistant Assistant to the Township Clerk Department Secretary Tax/Utility Accounting Assistant Recreation Coordinator	\$36,771.	\$53,524.
4	Recreation Maintenance Worker	\$38,613.	\$56,005.
5	Communications Officer Planning/Zoning Coordinator Deputy Court Administrator/Clerk Health/Sr. Transportation	\$41,536.	\$61,777.
8	Assistant Municipal Treasurer Building Inspector Senior Recreation/Pool Coordinator Records Clerk-Police	\$47,544.	\$68,906.
9	Municipal Court Administrator Deputy Municipal Tax Collector Assistant Recreation Director Administrative Secretary	\$53,560.	\$79,480.

EMPLOYEE	SALARY	GRADE	JOB TITLE
Besofsky, Laurie	\$41,346.	3	Asst. to Twp. Clerk
Cafarella, Joseph	44,416.	3	Accounting/Payroll Asst.
Conti, Marie	45,376.	3	Tax/Utility Acct., Asst.
Fabrazzo, John	46,739.	3	Recreation Co-ordinator
McCarthy, Karen	49,418.	3	Dept. Sec., Public Works
Meding, Martina	50,305.	3	Dept. Sec., Build Dept.
Stefanelli, Emil	47,071.	3	Bldg. Maint. Worker/Bus Dr.

EMPLOYEE	SALARY	GRADE	JOB TITLE
Demarest, Courtney	\$48,853.	5	Deputy Court Administrator.
Maddaloni, Jackie	57,976.	5	Planning/Zoning Co-ord.
Riou, Debra	48,400.	5	Health/Sr. Trans. Admin.
Fields, Susan	70,530.	8	Asst. Mun. Treasurer
Perez Sasha	48,500.	8	Records Clerk-Police
LaCapra, Antoinette	69,151.	9	Adm. Secretary
Platvoet, Theresa	65,800.	9	Court Administrator
Verrengia, Suzanne	54,631.	9	Asst. Rec. Director
Walsh, Nancy	73,185.	9	Dept. Mun, Tax Coltr.

DEPARTMENT DIRECTORS

<u>GRADE</u>	<u>JOB CLASSIFICATION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
10	Director of Assessments Director of Recreation Director of Com. Develp. Dir./ Construction Official	\$64,211.	\$95,393.
11	Dir. Of Finance/Tax Collector/ CMFO Municipal Engineer	\$78,795.	\$144,282.

	<u>SALARY</u>	<u>GRADE</u>	<u>JOB TITLE</u>
Hamilton, Richard	\$ 82,605.	10	Director of Assessments
Landolfi, Marisa	\$ 70,239.	10	Director of Recreation
D'Ascensio, John	\$ 92,505.	10	Community Development/ Construction Official
Homa, William	\$144,282.	11	Director of Finance/ Tax Collector/CMFO
Palumbo, Alex	\$131,559.	11	Dir. of DPW/Eng.

FREE PUBLIC LIBRARY

<u>GRADE</u>	<u>JOB CLASSIFICATION</u>	<u>MINIUM</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/ Administrative Services	\$30,103	\$58,400.
L-6	Supervising Library Assistant	\$32,333	\$65,854.
L-7	Library Specialist	\$34,562.	\$70,795.
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-12	Library Director	\$62,435.	\$107,199.

	<u>SALARY</u>	<u>GRADE</u>	<u>JOB TITLE</u>
Wolverton, Catherine	\$92,909.	12	Library Director
Cheetham, Natalie	\$58,815.	8	Children's Librarian
DeVingo, Patricia	\$51,513.	6	Supervising Lib. Asst.
Falcone, Francine	\$47,941.	5	Adm. Services
Longo, Ursula	\$42,823.	4	Sr. Library Asst.

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

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

NO: None

ABSENT: Councilwoman Peterson

b) To consider resolution concerning annual renewal of active ABC licenses

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

WHEREAS, the following individuals and corporations have applied for the renewal of their Alcoholic Beverage Licenses for the period from July 1, 2019 through June 30, 2020, namely:

<u>LICENSE NO.</u>	<u>APPLICANT</u>	<u>TRADENAME</u>	<u>FEE</u>
0704-31-012-001	Cedar Grove Lodge #2237 of B.P.O Elks 405 Bowden Road	Cedar Grove Elks Club	\$ 150.00
0704-33-002-006	Pompton Restaurant Assoc. 1131 Pompton Avenue	Il Tulipano	\$2,002.00
0704-33-003-004	Second Gen Catering Inc. 691 Pompton Ave.	The Grove	\$2,002.00

0704-33-006-002	Seger Restaurant Ent. 134 E. Lindsley Road	LuNello's	\$2,002.00
0704-33-007-006	Edward Fitzpatrick, Inc. 292 Grove Avenue	The Grasshopper	\$2,002.00
0704-33-008-008	Down Neck LLC 597 Pompton Ave.	Lombardi's	\$2,002.00
0704-44-001-008	Shree Nath, Inc. 597 Pompton Avenue	Cedar Grove Liquors	\$1,174.00
0704-44-009-008	Cedar Grove Wine Cellar LLC 420 Pompton Ave.	Cedar Grove Wine Cellar	\$1,174.00

WHEREAS, the above individuals and corporations have submitted their municipal fee for renewal to the Township Clerk, and received the required tax clearance certificate; and

WHEREAS, said applications comply with the State Laws regulating the sale and distribution of alcoholic beverages.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the applications for renewal of existing alcoholic beverage license from the above mentioned individuals and corporations be approved; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to issue said licenses to the applicants for the period from July 1, 2019 through June 30, 2020.

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

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

NO: None

ABSENT: Councilwoman Peterson

c) To consider resolution concerning annual renewal of inactive ABC license – Shu box Inc.

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

WHEREAS, the following corporations has applied for the renewal of its Alcoholic Beverage License for the period from July 1, 2019 through June 30, 2020, namely:

<u>LICENSE NO.</u>	<u>APPLICANT</u>	<u>TRADENAME</u>	<u>FEE</u>
0704-33-010-003	Shu Box, Inc. 256 Pompton Ave.	N/A	\$2,002.

WHEREAS, the above corporation has submitted its application for renewal to the Township Clerk, and said application complies with the State Laws regulating the sale and distribution of alcoholic beverages; and

WHEREAS, the licensee filed a verified petition to the Division of Alcoholic Beverage Control of the State of New Jersey requesting authorization for the local issuing authority to consider its renewal application for the 2019-2020 license term pursuant to the provisions of N.J.S.A. 33:1-12.39; and

WHEREAS, the Division of Alcoholic Beverage Control of the State of New Jersey has authorized the Mayor and Council of the Township of Cedar Grove to consider the application of Shu Box, Inc. for renewal of its license for the 2019-2020 license term as an inactive license and to grant or deny said application in the reasonable exercise of their discretion and;

WHEREAS, the licensee must file an amendment to said license application pursuant to N.J.A.C. 13:2-2.4 to activate the license during the 2019-2020 term.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the application for renewal of existing alcoholic beverage license from Shu Box, Inc. be approved; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby authorized to issue said license to the applicant for the period from July 1, 2019 through June 30, 2020.

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

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

NO: None

ABSENT: Councilwoman Peterson

d) To consider resolution concerning purchase from 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 utilizes the Morris County Cooperative Pricing Council Contract #47 for water meters, data recorders and radio frequency meter interface units; and

WHEREAS, the contract amount for water meters, data recorders and radio frequency meter interface units will not exceed \$50,950.10; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 19-843.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove authorizes the Township of Cedar Grove to purchase from the Morris County Cooperative Pricing Council Contract #47 for water meters, data recorders and radio frequency meter interface units from RIO Supply Inc. for an amount not to exceed \$50,950.10.

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

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

NO: None

ABSENT: Councilwoman Peterson

- e) To consider resolution concerning purchase through State Contract – Police Body-Worn Cameras

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 Police Body-Worn Cameras and accessories 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 Police Body-Worn Cameras and accessories 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 Police Body-Worn Cameras and accessories 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 Police Body-Worn Cameras and accessories are available in the 2016 Body-Worn Camera Assistance Program and Dedicated Public Donations for the Police Body-Worn Cameras.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, that the purchase of Police Body-Worn Cameras and accessories be awarded to L3 Mobile-Vision Inc., through State Contract No. A81311.

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

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

NO: None

ABSENT: Councilwoman Peterson

- f) To consider resolution concerning insertion of special item of revenue – NJDOT Grant for Reconstruction of Harper Terrace

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 \$402,000.00, which is now available as a revenue from the Department of Transportation, which is administered by the New Jersey Transportation Trust Fund Authority Act, pursuant to the provision of statute; and

B IT FURTHER RESOLVED that a like sum of \$402,000.00 is hereby appropriated under the caption:

Department of Transportation – Harper Terrace \$402,000.00

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

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

NO: None

ABSENT: Councilwoman Peterson

g) To consider resolution concerning award of bid for VFW Tank Rehabilitation

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 VFW Tank Rehabilitation, and were publicly opened by the Township Clerk on April 24, 2019, as follows:

<u>BIDDER</u>	<u>TOTAL BASE BID</u>
Guimar General Contractor LLC	\$ 400,170.00
Brave Industrial Paint LLC	\$ 446,000.00
Allied Painting Inc.	\$ 450,030.00
US Tank Paintng Inc.	\$ 546,900.00
Alpine Painting & Sandblasting	\$ 694,000.00
Titan Industrial Services	\$ 959,278.00

WHEREAS, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend that the award bid to Guimar General Contractor LLC of Newark, New Jersey, the apparent low bidder, in the amount of \$ 400,170.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract from Bond Ord. 18-826.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the award of bid be made to Guimar General Contractor LLC of Newark, New Jersey.

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

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

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

NO: None

ABSENT: Councilwoman Peterson

- h) To consider resolution concerning submission/execution of 2020 NJDOT grant application/agreement

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

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Improvements to Myrtle Avenue project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Cedar Grove, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020-Cedar Grove Township-_____** to the New Jersey Department of Transportation on behalf of the Township of Cedar Grove.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Cedar Grove and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

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

NO: None

ABSENT: Councilwoman Peterson

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 \$ 3,303,950.59.

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

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

NO: None

ABSENT: Councilwoman Peterson

9. PUBLIC COMMENT

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

Charles Dovico; 111 Holly Lane – Mr. Dovico requested information concerning lawsuits filed against the Township, specifically involving the Coptic Church. The Manager explained the status of the referenced litigation.

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 17, 2019
2. The general nature of the subject matter to be discussed is a litigation matter regarding Township's solicitor ordinance.
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 approval of the resolution, seconded by Deputy Mayor Vargo and passed by the following vote:

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

NO: None

ABSENT: Councilwoman Peterson

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 8:35 p.m. by acclaim.