

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

PUBLIC MEETING

MINUTES

FEBRUARY 6, 2017

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

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

The flag salute was led by Mayor Tanella.

Mayor Tanella 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 29, 2016 and January 6, 2017 respectively, 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 regular public meeting minutes of January 9, 2017

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

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

NO: None

3. PUBLIC HEARING

- a) To consider adoption of Pending Ordinance #17-803 Establishing Chapter 60 of the Township Code entitled "Downtown Advisory Committee"

The ordinance was read by title only as follows:

**AN ORDINANCE AMENDING PART I ENTITLED "ADMINISTRATIVE
LEGISLATION," TO ADD CHAPTER 60 ENTITLED "DOWNTOWN
ADVISORY COMMITTEE"**

Mayor Tanella opened the public hearing on this item.

Robbie Vargo; 102 Union St. – Mr. Vargo thanked the governing body and interested residents for efforts to bring creation of the committee to fruition.

Councilman Longo suggested two changes to the ordinance; removal of the term “diverse backgrounds” in the description of general members and expansion of the “downtown” area. Following a brief discussion, there was consensus to keep the existing language.

Paul Burns; 2 Elm Drive – Mr. Burns requested an explanation of the purpose of the proposed committee. Mr. Burns also inquired about traffic calming measures for the area, specifically installation of a traffic light at the Grove Ave./Pompton Ave. intersection. The Manager explained that the State DOT is the jurisdictional authority for Pompton Ave. since it is a state highway and planning roadway improvements within the downtown area to improve traffic flow and safety.

Jolie Ruffalo; 14 Woodstone Drive – Ms. Ruffalo suggested that the southern limit of the downtown area include businesses south of W. Bradford Ave.

Councilman Longo 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 Maffucci, and passed by the following vote:

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

NO: None

- b) To consider adoption of Pending Ordinance #17-804 Amending Chapter 224 of the Township Coded entitled “Smoking”

The ordinance was read by title only as follows:

AN ORDINANCE AMENDING PART II ENTITLED “GENERAL LEGISLATION,” CHAPTER 224 ENTITLED “SMOKING,” TO ADD ARTICLE II ENTITLED “SMOKING ON PUBLIC PROPERTY”

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

Deputy Mayor Maffucci 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 Cicala, Kumburis, Longo, Deputy Mayor Maffucci, Mayor Tanella

NO: None

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

Mayor Tanella 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 Tanella closed this portion of the meeting.

5. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Manager reported the availability of a “distracted driving” grant from the State. Mr. Tucci recommended that the Township submit an application, to which the governing body agreed. The Manager announced the hiring of a new employee, Emil Stefanelli.
- b) Township Clerk – The Clerk noted the upcoming municipal election on May 9, 2017 for three council seats. The Clerk advised that candidate packets are available in the Clerk’s Office and that nominating petitions must be submitted the Clerk’s Office by 4:00 p.m. on March 6, 2017.
- c) Township Attorney – No report
- d) Other Reports

Councilman Cicala noted that the placement of a portion of fence for the new County Park provides a negative impact on certain adjacent property owners. Councilman Cicala requested that the County liaison share the information with proper County personnel to effect a remedy.

6. CONSENT AGENDA

- a) To consider resolution concerning approval of raffle application – St. Catherine of Siena

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

WHEREAS applications for raffle licenses have been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
St. Catherine of Siena 339 Pompton Ave. Cedar Grove, NJ 07009	On-Premise 50/50 Raffle June 1, 2, 3, 2017 at 6:00 – 10:00 p.m., and June 4, 2017 at 4:00 – 8:00 p.m at 339 Pompton Ave., Cedar Grove NJ

WHEREAS the fees have been paid, the applications have 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 applications.

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

- b) To consider resolution concerning approval of raffle application – Junior Women’s Club of Verona

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

WHEREAS applications for raffle licenses have been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
Junior Women’s Club of Verona P.O. Box 91 Verona, NJ 07044	On-Premise 50/50 Raffle February 25, 2017 at 8:00 – 11:00 p.m. at 170 Lindsley Rd., Cedar Grove NJ

WHEREAS the fees have been paid, the applications have 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 herby approve said applications.

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

7. NEW BUSINESS

- a) To consider resolution concerning tax cancellation

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

WHEREAS, the 2016 Extended Tax Duplicate inadvertently listed a parcel of property owned by 731-735 Pompton Avenue Associates of 731 Pompton Avenue, Cedar Grove, NJ, Block – 200 Lot – 45 with an assessed valuation of \$169,100 and a 2016 tax levy in the amount of \$3,884.23; and

WHEREAS, as a result of inadvertently listing the parcel of property owned by 731-735 Pompton Avenue Associates of 731 Pompton Avenue, Cedar Grove, NJ, Block - 200 Lot – 45 it is necessary to cancel the 2016 tax levy in the amount of the \$3,884.23; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove that the required tax cancellation be made:

2016 Tax Levy Cancellation

<u>Block</u>	<u>Lot</u>	<u>Owner & Location</u>	<u>Tax Cancellation</u>
200	45	731-735 Pompton Avenue Associates 731 Pompton Avenue Cedar Grove, NJ 07009	\$3,884.23

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

b) To consider resolution concerning assessment of lien

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	\$207.00

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

c) 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>
John & Katleen McCabe 85 Cedar Grove Parkway Cedar Grove, NJ 07009 Acct. No. 2-2010100	<u>\$6.58</u>	<u>\$8.70</u>	<u>\$15.28</u>
Barbara Weisman 10 Highpoint Cedar Grove, NJ 07009 Acct. No. 1-0901300	<u>\$2.35</u>	<u>\$8.70</u>	<u>\$11.05</u>

Anne Martino
 7 Bruce Court
 Cedar Grove, NJ 07009

Acct. No. 2-1602400

\$8.69

\$24.32

\$33.01

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 Deputy Mayor Maffucci, and passed by the following vote:

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

NO: None

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 \$3,778,677.74

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

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

Robbie Vargo; 102 Union St. – Mr. Vargo provided follow-up information regarding the annual Toys for Tots drive that he conducts on his property via a holiday light display. Mr. Vargo noted that the collection was the most successful to date; 1000 toys and over \$11,000 in monetary donations. Mr. Vargo further advised that the donations were distributed locally, within a five mile radius of Cedar Grove.

Jolie Ruffalo; 14 Woodstone Drive - Attorney Zielinski explained that as a result of Coptic Church filing a lawsuit in federal Court, the Dept. of Justice opened an investigation of the Township's zoning and land use practices. Attorney Zielinski further explained the Township is in the process of providing requested documentation to the Dept. of Justice. The Township Manager responded to Ms. Ruffalo's inquiry concerning tree removal and remediation on the Coptic Church property. Ms. Ruffalo cited other concerns regarding 2 and 5 Woodstone Drive (Coptic Church property).

10. ADJOURNMENT

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

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

NO: None

The meeting adjourned at 7:35 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK