

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

**PUBLIC MEETING**

**MINUTES**

**MARCH 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, Maffucci, Deputy Mayor Maffucci

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

Absent: Councilman Longo

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.

Councilman Longo joined the meeting at 7:03 p.m.

**2. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL**

- a) Presentation of Proclamation to former Boy Scout Leader

Councilman Cicala read and presented the proclamation to Robert Cunniff and thanked Mr. Cunniff for his dedication to the community.

- b) Presentation of Certificates of Achievement to Eagle Scouts

Councilman Cicala presented certificates to Luke Michael Tufaro and James Patrick McGuire.

**3. APPROVAL OF MINUTES**

- a) To consider approval of regular public meeting minutes of February 6, 2017

Councilman Longo 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

**4. AWARD OF BID**

- a) To consider resolution awarding bid for Removal, Pruning and Spraying of Township Trees

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 a sole bid was received for the Removal, Pruning, and Spraying of Township Trees and publicly opened and read by the Township Clerk on January 26, 2017 as follows; and

BIDDER	REMOVAL		PRUNING 1 or 2 YEAR	SPRAYING 1 or 2 YEAR
	1 YEAR	2 YEAR		
Caputo Bros Tree Service	0-12" \$300/ea 13-24" \$400/ea 25-36" \$750/ea < 36" \$1000/ea <b>\$90,400.00</b>	0-12" \$300/ea 13-24" \$400/ea 25-36" \$750/ea <36" \$1000/ea <b>\$180,800.00</b>	0-12" \$200/ea 13-24" \$350/ea 25-36" \$450/ea <36" \$650/ea	\$100/hr
Rich Tree Service	0-12" \$165/ea 13-24" \$675/ea 25-36" \$1800/ea <36" \$2500/ea <b>\$208,820.00</b>	0-12" \$165/ea 13-24" \$675/ea 25-36" \$1800/ea <36" \$2500/ea <b>\$208,820.00</b>	0-12" \$175/ea 13-24" \$300/ea 25-36" \$400/ea <36" \$550/ea	\$250/hr

**WHEREAS**, the Municipal Engineer and the Township Manager have reviewed the bid and recommend awarding the bid for a two year term to Caputo Brothers Tree Service, Inc. of Upper Montclair, New Jersey, the lowest responsible bidder, in the estimated bid amount of \$90,400.00 annually; and

**WHEREAS**, the bid price schedules submitted by Caputo Brothers Tree Service, Inc. for tree pruning and spraying have been reviewed and found acceptable; and

**WHEREAS**, funds are available to satisfy our obligations under this contract in the Shade Tree Budget;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Cedar Grove that the award of bid for the Removal, Pruning, and Spraying of Township trees be made to Caputo Brothers Tree Service, Inc. of Upper Montclair, New Jersey, for the period of March 6, 2017 to March 6, 2019.

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

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

**5. 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.

Paul Burns; 2 Elm Dr. – Mr. Burns inquired about the availability of minutes for staff meetings.

There being no one else present wishing to be heard, Mayor Tanella closed this portion of the meeting.

## 6. REPORTS OF TOWNSHIP OFFICIALS

a) Township Manager – The Manager advised that the Township received an upgrading of its bond rating. Mr. Tucci noted that the improved rating will have a positive effect on the Township's borrowing rate. Mr. Tucci also cited the factors considered when a bond rating is reviewed. Mayor Tanella commended the Township Manager and Chief Financial Officer for the Township's fiscal management and premise to provide the residents the best possible service with the least financial impact. The Manager further noted that the Township is only at 11% of its bonding capacity and adheres to a pay as you go philosophy. Mr. Tucci also noted the Township's receipt of a Safety and Incentive Award from NJIIF, that included a plaque and \$1500 monetary award.

b) Township Clerk – The Clerk reported that four candidates filed petitions to run for three positions in the May 9<sup>th</sup> municipal election; Joseph Cicala, Donald Elting, Kerry Peterson, and Robbie Vargo.

c) Township Attorney – Attorney Zielinski advised that he recently changed law firms and is now with O'Toole, Fernandez, Weiner, Van Lieu LLC. Following discussion, Deputy Mayor Maffucci moved to retain Attorney Zielinski as Township Attorney and amend the contract to reflect the change of firm. Motion was seconded by Councilman Longo and passed by the following vote:

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

NO: None

ABSTAIN: Mayor Tanella

The action is memorialized by resolution as follows:

**RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY  
OF ESSEX, STATE OF NEW JERSEY, AMENDING RESOLUTION  
AGENDA ITEM NO. 6(a)(i) OF THE TOWNSHIP OF CEDAR  
GROVE REGARDING PROFESSIONAL APPOINTMENTS**

**WHEREAS**, Resolution Agenda Item No. 6(a)(i) was duly adopted by the Township Council on December 5, 2016; and

**WHEREAS**, said Resolution appointed the Township Attorney, Joshua Zielinski, Esq., and

**WHEREAS**, the law firm in which Joshua Zielinski, Esq. is a partner has changed; and

**WHEREAS**, the Township Council desires to amend the resolution to reflect the new firm name.

**NOW THEREFORE IT BE RESOLVED** by the Township Council of the Township of Cedar Grove, County of Essex, State of New Jersey, that Resolution Agenda Item No. 6(a)(i) is hereby

amended to identify the law firm in which Joshua Zielinski, Esq. is a partner as O'Toole, Fernandez, Weiner, Van Lieu, LLC (OFWV) as opposed to Mc Elroy, Deutsch, Mulvaney & Carpenter, LLP.

**BE IT FURTHER RESOLVED** that all other aspects and provisions of Resolution Agenda Item No. 6(a)(i) shall remain unchanged.

d) Other Reports

Deputy Mayor Maffucci congratulated the CGHS wrestling team on its second place finish in the Region 2 tournament. Deputy Mayor Maffucci also noted that Dan DiPrenda and Anthony Clarizio have qualified for the State tournament. Deputy Mayor Maffucci provided the names of prospective Downtown Advisory Committee members and requested to move forward with appointments. Councilman Cicala moved to appoint the prospective members, seconded by Councilman Longo and agreed to unanimously. Deputy Mayor Maffucci also requested approval from the governing body for the Downtown Advisory Committee to appear before the Essex County Freeholder Board regarding painting of West Essex Bikeway trestle over Pompton Avenue, to which the governing body agreed. Deputy Mayor Maffucci announced that he is not seeking re-election as he is no longer able to make the time commitment.

Councilman Longo reported that the Township received a \$54,000 Community Development Block Grant from the County. Councilman Longo also announced that he has opted not to seek re-election.

Councilman Kumburis extended congratulations to the CGHS wrestling team. Councilman Kumburis noted the Regional Flood Control Board meeting on March 9<sup>th</sup> in Woodland Park.

Mayor Tanella commented that he attended the recent CGHS musical production and described it as a "mini Broadway musical". Mayor Tanella referred to 2017 pool fee information and recommendations. Following discussion of numerous factors affecting pool rates, Mayor Tanella recommended approval of rates and policy proffered by the Recreation Advisory Board, to which the governing body concurred.

**7. CONSENT AGENDA**

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

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

**WHEREAS** applications for a raffle license has been received from:

APPLICANT

St. Catherine of Siena Church  
339 Pompton Ave.  
Cedar Grove, NJ 07009

EVENT, DATE, TIME, AND PLACE

Off-Premise 50/50  
June 4, 2017 at 7:30 p.m. at  
339 Pompton Ave., Cedar Grove NJ

St. Catherine of Siena Church  
339 Pompton Ave.  
Cedar Grove, NJ 07009

Non-Draw Wheels  
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 fee has 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 application.

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

AYE: Councilman Cicala, Kumburis, Longo, Maffucci, Deputy Mayor Maffucci, Mayor Tanella  
NO: None

- b) To consider resolution concerning approval of raffle application – Cedar Grove Elks

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>
Cedar Grove Elks Lodge #2237	Off-Premise 50/50 Raffle
405 Bowden Rd.	May 29, 2017 at 2:00 p.m. at
Cedar Grove, NJ 07009	405 Bowden 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 Longo, and passed by the following vote:

AYE: Councilman Cicala, Kumburis, Longo, Maffucci, Deputy Mayor Maffucci, Mayor Tanella  
NO: None

**8. NEW BUSINESS**

- a) To consider introduction of Pending Ordinance #17-805 Amending Chapter 39 of the Township Code entitled “Length of Service Award Program”

The clerk read the Ordinance by title only:

**AN ORDINANCE AMENDING PART I ENTITLED “ADMINISTRATIVE LEGISLATION,” CHAPTER 39 ENTITLED “LENGTH OF SERVICE AWARDS PROGRAM”**

**WHEREAS**, By Ordinance 00-539, adopted August 21, 2000, the Township of Cedar Grove established a Length of Service Awards Program (“LOSAP”) for its Volunteer Fire Department in accordance with the Emergency Services Volunteer Length of Service Award Program Act, N.J.S.A. 40A:14-183 to -194.1 (the “Act”); and

**WHEREAS**, Pursuant to the Act, municipalities may increase the maximum annual contribution by a factor calculated in accordance with the consumer price index (“CPI”);

**WHEREAS**, the Township Council wishes to amend the LOSAP Ordinance to include annual CPI adjustments to the maximum annual contribution; and

**NOW, THEREFORE, BE IT ORDAINED**, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, Part I of *The Township of Cedar Grove Municipal Code* entitled “Administrative Legislation,” Chapter 39 entitled “Length of Service Awards Program” is hereby amended and reads as follows:

**Section 1.**

Part I of *The Township of Cedar Grove Municipal Code* entitled “Administrative Legislation,” Chapter 39 entitled “Length of Service Awards Program,” Section 3 entitled “Calculation of annual contribution is hereby deleted in its entirety and replaced with the following:

**§ 39-3 Calculation of annual contributions.**

The LOSAP shall provide for annual contributions to each eligible member in accordance with the following credit system:

- A. Credits based upon years of service. An active volunteer member shall receive credit for a “Qualifying Year” earned by such member. A “Qualifying Year” shall be defined as a calendar year during which such member has been awarded at least 100 points pursuant to the following point system:
1. Fire Department Responses – 50 points maximum, 30 points minimum: points are credited based upon the following schedule of percent attendance at the Fire Department Responses to which Volunteer Firefighters have been dispatched:
    - i. 20% to 29.9% Attendance 30 points;
    - ii. 30% to 39.9% Attendance 40 points; and
    - iii. 40% and over Attendance 50 points.
  2. Drills – 36 points maximum, 14 points minimum: points are credited for participation in Fire Department Authorized Fire Company, Mutual Aid and Special Drills:
    - i. Department Drills: 2 points; and
    - ii. Company Drills: 2 points.

3. Training – 30 points maximum. Points are credited for Certified Firematic training courses upon receipt of certification of completion:
  - i. Authorized Course where attendance required is less than 20 hours: 10 points;
  - ii. Authorized Course where attendance required is more than 20 hours, but less than 40 hours: 20 points; and
  - iii. Authorized Course where attendance is required for 40 or more hours: 30 points.
  
4. Holder of an Elected or Appointed Firematic Position – 50 points maximum. Points are credited for completion of one-year term in position.
  - i. Department Chief: 50 points;
  - ii. Deputy Chiefs: 40 points;
  - iii. Captain: 30 points;
  - iv. Dir. of Fire Prevention: 30 points;
  - v. Lieutenant: 25 points;
  - vi. Drivers: 15 points;
  - vii. Fire Prevention Inspector: 15 points;
  - viii. Ex-Chief: 10 points;
  - ix. Fire Service Instructor: 10 points;
  - x. Public Information Officer: 10 points;
  - xi. NIFRS Reports Officer: 10 points;
  - xii. LOSAP Coordinator: 10 points;
  - xiii. Respiratory Protection Off. 10 points;
  - xiv. Operations/Tech Rescue Specialist 10 points;
  - xv. Trench/Auto/Conf. Space 10 points; and
  - xvi. Emergency Medical Tech. 10 points.
  
5. Meetings – 36 points maximum, 14 points minimum. Points will be credited for attendance at regular and special Department and Fire Company meetings:
  - i. Department Meetings 2 points; and
  - ii. Company Meetings 2 points.
  
6. Administrative Officials and Appointees – 20 points maximum. Points will be credited for completion of a one-year term in an elected or appointed position. 5 points each for the following positions:
  - i. Department or Company President;
  - ii. Department or Company Vice President;
  - iii. Department or Company Secretary;
  - iv. Department or Company Treasurer;
  - v. Exempt Fireman Status;
  - vi. Relief or Exempt Association President;
  - vii. Relief or Exempt Association Secretary;
  - viii. Relief or Exempt Association Treasurer;
  - ix. Relief or Exempt Association Representative; and
  - x. Relief or Exempt Association Delegate.

7. Committee Activities – 20 points maximum. Points will be credited for active participation in Official Fire Department Committees as Authorized by the Chief of the Department:
  - i. Committee Chair 4 points; and
  - ii. Committee Member 2 points.

**Section 2:**

**§ 39-4 Maximum annual contribution.**

The maximum annual contribution for an active volunteer member shall be \$1,150 per year, with an annual adjustment due to changes in the CPI beginning in January 2017 in accordance with the Director of the Division of Local Government Services' annual calculation published in a Local Finance Notice and in the New Jersey Register.

**Section 3:**

**§39-10 Calculation of annual contributions.**

Subsection H is hereby deleted in its entirety.

**Section 4:**

**§ 39-11 Maximum annual contribution.**

The maximum annual contribution for an active volunteer member shall be \$1,150 per year, with an annual adjustment due to changes in the CPI beginning in January 2017 in accordance with the Director of the Division of Local Government Services' annual calculation published in a Local Finance Notice and in the New Jersey Register.

**Section 5.**

All ordinances of the Township of Cedar Grove which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

**Section 6.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**Section 7.**

This Ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.



Deputy Mayor Maaffucci moved that Pending Ordinance #17-805 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of March 20, 2017, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilman Cicala, Kumburis, Longo, Maffucci, Deputy Mayor Maffucci, Mayor Tanella  
NO: None

b) To consider introduction of Pending Bond Ordinance #17-806 – Road Overlay Program

The clerk read the Ordinance by title only:

**BOND ORDINANCE AUTHORIZING ROAD OVERLAY PROGRAM IN AND FOR THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY, APPROPRIATING \$600,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF CEDAR GROVE, IN THE COUNTY OF ESSEX, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Cedar Grove, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$600,000, such sum includes the sum of \$30,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$570,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$570,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
Road Overlay Program, including milling and curb improvements, including but not limited to the following roads: Pine Drive, Ring Place, John Place, Vanderberg Place, Cole Road, Oak Drive, Young Avenue and Forest Hills Way, including all costs, improvements, equipment and/or appurtenances necessary therefore and/or related thereto.	\$600,000	\$570,000	10 Years
<b>TOTAL</b>	<b>\$600,000</b>	<b>\$570,000</b>	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$570,000.

(c) The estimated cost of the Improvements is \$600,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor is the amount of the Down Payment for each purpose.

**SECTION 4:**

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the “Chief Financial Officer”); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Council of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

**SECTION 5:**

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

**SECTION 6:**

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$570,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

**SECTION 7:**

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

**SECTION 8:**

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$570,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Cicala moved that Pending Bond Ordinance #17-806 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of March 20, 2017, seconded by Deputy Mayor Maffucci, and passed by the following vote:  
AYE: Councilman Cicala, Kumburis, Longo, Maffucci, Deputy Mayor Maffucci, Mayor Tanella  
NO: None

- c) To consider resolution concerning amendment to 2017 Capital Budget

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 desires to amend the 2017 Capital Budget of said municipality by inserting the Road Overlay Program.

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

AMENDMENT  
CAPITAL BUDGET OF THE TOWNSHIP OF CEDAR GROVE  
COUNTY OF ESSEX, NEW JERSEY

PROJECTS SCHEDULE FOR 2017  
METHOD OF FINANCING

<u>Project</u>	<u>Estimated Cost</u>	<u>Debt Authorized</u>	<u>Down Payment</u>
Road Overlay Program	<u>\$600,000.00</u>	<u>\$570,000.00</u>	<u>\$30,000.00</u>

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

- d) To consider resolution concerning tax reductions granted by Tax Court of New Jersey

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

**WHEREAS**, the Tax Collector of the Township of Cedar Grove has determined that action is required as a result of 2014 - 2016 tax reductions granted by the Tax Court of New Jersey;

**WHEREAS**, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations, which are set forth along with the name and address of the taxpayer.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Cedar Grove that the required tax cancellations and refunds be made:

2014 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner &amp; Location</u>	<u>Tax Cancellations and Tax Refund</u>
120	96	Cedar Center LLC C/O Levin Mgt. Co. 397 Pompton Avenue Cedar Grove, NJ 07009	\$3,828.92
291	59	POW-MAC Associates 59 Village Park Road Cedar Grove, NJ 07009	\$2,261.74
300	80	SS Marlin Cedar Grove LLC 1041 Pompton Avenue Cedar Grove, NJ 07009	\$5,495.00

2015 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner &amp; Location</u>	<u>Tax Cancellations and Tax Refund</u>
120	96	Cedar Center LLC C/O Levin Mgt. Co. 397 Pompton Avenue Cedar Grove, NJ 07009	\$3,909.05
291	59	POW-MAC Associates 59 Village Park Road Cedar Grove, NJ 07009	\$2,309.08
300	80	SS Marlin Cedar Grove LLC 1041 Pompton Avenue Cedar Grove, NJ 07009	\$5,610.00

2016 Tax Reductions Granted by the Tax Court of New Jersey

<u>Block</u>	<u>Lot</u>	<u>Owner &amp; Location</u>	<u>Tax Cancellations and Tax Refund</u>
291	59	POW-MAC Associates 59 Village Park Road Cedar Grove, NJ 07009	\$2,363.61
300	80	SS Marlin Cedar Grove LLC 1041 Pompton Avenue Cedar Grove, NJ 07009	\$8,039.50

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

e) To consider resolution concerning 2017 pool membership fees

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

**WHEREAS**, the Township Council did adopt an ordinance on May 20, 1963 providing for the establishment of fees for the Cedar Grove Municipal Swimming Pool; and

**NOW, THEREFORE, BE IT RESOLVED** that the following fees be established for the Cedar Grove Municipal Swimming Pool for the 2017 season as follows:

	<u>Prior To May 15, 2017</u>	<u>Effective May 15, 2017</u>
Resident Family	\$546.00	\$576.00
Resident Individual	\$390.00	\$421.00
Resident Married Couple/ Civil Union no Children	\$465.00	\$489.00
Resident Senior Citizen	\$187.00	\$218.00

**BE IT FURTHER RESOLVED** that non-resident memberships will be limited to one hundred (100). The following non-resident fees are established for 2017:

	<u>Prior To May 15, 2017</u>	<u>Effective May 15, 2017</u>
Non-Resident Family	\$1250.00	\$1300.00
Non-Resident Individual	\$ 660.00	\$ 710.00
Non-Resident Senior Citizen	\$ 430.00	\$ 480.00

**BE IT FURTHER RESOLVED** that in addition, senior citizens who qualify for the State Pharmaceutical Assistance for the Aged Program (PAA) will be entitled to a reduced senior citizen rate of \$103.00.

**BE IT FURTHER RESOLVED** that the Guest Fee for 2017 will be \$16.00 per day for a resident and \$20 per day for a non-resident.

**BE IT FURTHER RESOLVED** that there be established a fee for swim lessons as follows; \$20/child for members and \$100/child for non-members.

**BE IF FURTHER RESOLVED** that a membership discount of \$100 shall be awarded to both an existing family membership for sponsoring a new family membership and the new family membership.

Councilman Kumburis 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

## **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 \$525,058.95

Councilman Longo 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

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

Kate Hartwyk; Essex County Liaison – Ms. Hartwyk provided information regarding programs underway at the Robert O’Toole Senior Community Center and contact information for private rental of the facility.

Carol Hartnett; 15 Woodstone Dr. – Ms. Hartnett inquired the status of mediation between the Coptic Church and Township, to which the Township Attorney responded. Ms. Hartnett also inquired the status of Coptic Church tree mitigation and fine. The Manager advised that the tree mitigation issue was adjudicated by Municipal Court. Mr. Tucci further noted specific information could be obtained from the Court and or Township Engineer, a tree mitigation was required to be filed with the Engineer. Ms. Hartnett commented that construction work is occurring during late evening hours at 2 Woodstone Drive. The Township Manager advised that Ms. Harnett should contact the Police Dept. at the time the work is taking place.

Kerry Peterson; 41 Bortic Rd. – Ms. Peterson questioned whether the approved K. Hovnanian development plan on the Hilltop property met the Township’s COAH requirements. The Township Attorney explained that at the time of approval the project did meet the Township’s obligations, however since that time COAH obligations are currently unknown, yet to be determined, and the subject of statewide litigation.

Robbie Vargo; 102 Union St. – Mr. Vargo thanked Councilman Longo for his long-time service to the community. Mr. Vargo also thanked the governing body for adoption of an ordinance to establish the Downtown Advisory Committee and requested clarification of financial procedures for the committee. The Manager explained that revenues and dedication

Sal Minieri; 26 Sweetwood Dr. – Mr. Minieri thanked all councilmembers for their service. Mr. Minieri expressed concert for the impact on local schools, municipal services and traffic on the community regarding the approved multiple unit construction projects. Mr. Minieri stated such projects erode the Township’s concept of a single family home community.

Paul Burns; 2 Elm Dr. – Mr. Burns inquired the status of negotiations regarding Verona’s request to acquire/utilize County property located in Cedar Grove for additional parking at Verona community pool. The Township Attorney stated that there are no ongoing negotiations over the referenced property. Mr. Burns raised concern regarding tree markings on LRP property along the Peckman River.

The Township Clerk noted a request for an Autism Awareness proclamation, to which the governing body agreed.

**11. ADJOURNMENT**

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

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

NO: None

The meeting adjourned at 8:30 p.m.

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PETER H. TANELLA      MAYOR

ATTEST:

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KATHLEEN R. STUTZ      MUNICIPAL CLERK