

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

**COUNCIL STAFF MEETING MINUTES MARCH 19, 2018
IMMEDIATELY FOLLOWING PUBLIC COUNCIL MEETING AT 7:00 P.M.**

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Tanella called the meeting to order at 7:25 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, Vargo, Deputy Mayor Cicala, Mayor Tanella
Also Present: Township Manager Tucci, Township Attorney Zielinski, Township Clerk Stutz
Absent: Councilwoman Peterson

2. APPROVAL OF MINUTES

a) Staff Meeting – January 22, 2018

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

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

NO: None

ABSENT: Councilwoman Peterson

b) Executive Session – January 22, 2018

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

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

NO: None

ABSENT: Councilwoman Peterson

c) Executive Session – February 5, 2018

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

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

NO: None

ABSENT: Councilwoman Peterson

d) Staff Meeting – February 12, 2018

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

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

NO: None

ABSENT: Councilwoman Peterson

e) Executive Session – March 5, 2018

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

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

NO: None

ABSENT: Councilwoman Peterson

3. TOWNSHIP MANAGER – The Manager commended DPW personnel and emergency responders for their efforts during and following the recent snow storm. Mr. Tucci also thanked residents for their co-operation following the severe tree damage caused by the storm. The Manager reported that he received a call from the City of Newark to a meeting with the Mayor of Newark, to which the governing body agreed.

4. TOWNSHIP ATTORNEY – No report

5. TOWNSHIP CLERK – The Clerk noted a request for annual Autism Awareness proclamation to which the governing body agreed.

6. COUNCIL REPORTS

Deputy Mayor Cicala noted that the CGHS cheer team were successful in the State Championship and requested to invite them to receive recognition, to which the governing body agreed.

Councilman Kumburis provided language for the recommended dog park resolution, there was consensus for the Township Attorney to draft the resolution. Councilman Kumburis reported that he attended the recent TREPS market at the Middle School.

Councilman Vargo provided information concerning the Downtown Advisory Committee sponsored Artwalk scheduled for April 12 and follow-up event Cedar de Mayor scheduled for May 12.

Mayor Tanella confirmed that the Township Attorney is to draft an ordinance to prohibit the sale of marijuana in the Township. Mayor Tanella also requested an executive session to discuss COAH litigation.

7. NEW BUSINESS

a) To consider resolution concerning 2018 pool 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 2018 season as follows:

	<u>Prior To May 25, 2018</u>	<u>Effective May 25, 2018</u>
Resident Family	\$568.00	\$599.00
Resident Individual	\$406.00	\$438.00
Resident Couple/Parent-Child	\$484.00	\$509.00
Resident Senior Citizen	\$195.00	\$227.00

BE IT FURTHER RESOLVED that non-resident memberships will be limited to one hundred (100). The following non-resident fees are established for 2018:

	<u>Prior To May 15, 2018</u>
Non-Resident Family	\$1084.00
Non-Resident Individual	\$ 605.00
Non-Resident Senior Citizen	\$ 394.00

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 \$107.00.

BE IT FURTHER RESOLVED that the Guest Fee for 2018 will be \$10.00 per day for an adult and \$7 for child.

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.

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

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

NO: None

ABSENT: Councilwoman Peterson

- b) To consider resolution concerning approval of raffle application – William Paterson University of NJ Foundation, Inc.

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

WHEREAS, application for raffle license has been received from:

APPLICANTS

William Paterson Univ. of NJ Found. Inc.
300 Pompton Road
Wayne NJ 07470

EVENTS, DATES TIMES & PLACE

On-Premise Merchandise Raffle to be held
April 19, 2018 at 6:00 – 11:00 p.m. at
691 Pompton Ave., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and the application has 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 application.

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

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

NO: None

ABSENT: Councilwoman Peterson

- c) To consider resolution awarding contract for professional services for alternate legal services

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

WHEREAS, there exists a need for the appointment of alternate legal counsel because of conflict of interest of the Township Attorney in certain COAH litigation, and funds are available for this purposes; and

WHEREAS, the Township of Cedar Grove desires to enter into an agreement with Kaufman, Sereraro & Leibman, LLC in conjunction with a specific legal matter concerning affordable housing; and

WHEREAS, N.J.S.A. 40A:11-5 states “no local unit be required to advertise for bids for professional services”; and

WHEREAS, fees for said services shall be paid on an hourly rate basis ranging from \$90.00-\$245.00 per hour in accordance with said agreement, not to exceed \$15,000.00; and

WHEREAS, funds are available in the 2018 municipal budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby appoint Kaufman, Semeraro & Leibman, LLC to serve as alternate legal counsel commencing February 1, 2018 and terminating December 31, 2018; and

BE IT FURTHER RESOLVED that the appropriate Township officials be authorized to execute and agreement; and

BE IT FURTHER RESOLVED that notice of this agreement shall be published in accordance with law.

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

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

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 \$ 2,601,415.95.

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

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

NO: None

ABSENT: Councilwoman Peterson

9. PUBLIC COMMENT

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

Charles Dovico; 111 Holly Lane – Mr. Dovico requested clarification of responsibility for roadway conditions on Rt. 23. The Manager addressed Mr. Dovico's concerns.

There being no one present wishing to be heard, Mayor Tanella 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 March 19, 2018
- 2.
3. The general nature of the subject matter to be discussed is COAH litigation.

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 Kumburis moved approval of the resolution, seconded by Deputy Mayor Cicala, and passed by the following vote:

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

NO: None

ABSENT: Councilwoman Peterson

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:50 p.m. by acclaim.