

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

PUBLIC MEETING

MINUTES

APRIL 3, 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. EXTRAORDINARY BUSINESS OF THE TOWNSHIP COUNCIL

- a) Presentation of Proclamation – Autism Awareness Month

Mayor Tanella read and presented proclamation to Suzanne Trupia, President of local parental support group R.E.A.L.I.S.E.

- b) Ceremonial Swearing-in of Police Chief
- c) Ceremonial Swearing-in of Police Lieutenant
- d) Ceremonial Swearing-in of Police Sergeant
- e) Ceremonial Swearing-in of Police Officers

Mayor Tanella administered oaths to the new Police Chief, Lieutenant, Sergeant, two new patrolmen and provided a brief bio on each officer.

- f) Presentation to former Police Chief

Senator Kevin O'Toole presented a proclamation from the Legislature recognizing former Police Chief Richard Vanderstreet.

3. APPROVAL OF MINUTES

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

- b) To consider approval of minutes of special public meeting of March 20, 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

4. PUBLIC HEARING

- a) To consider adoption of Pending Ord. #17-807 to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank

The ordinance was read by title only:

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Mayor Tanella opened the meeting to anyone wishing to be heard on this item only. There being no one present wishing to be heard, Mayor Tanella closed this portion of the meeting.

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

6. REPORTS OF TOWNSHIP OFFICIALS

- a) Township Manager – The Manager provided information and draft ordinance from the Police Chief regarding a resident request for a dedicated handicapped parking space on a Township road in front of the person’s residence, to which the governing body concurred. The Manager noted a memo from the Municipal Engineer regarding award of bid for replacement of the pedestrian footbridge at the Public Library, to which the governing body agreed subject to attorney review. Mr. Tucci recommendations from the Advisory Health Council to enact ordinance to license establishments that sell electronic smoking devices and related products and to prohibit the sale, furnishing/giving tobacco and nicotine delivery products to persons under the age of 21, to which the governing body concurred.

- b) Township Clerk – The Clerk announced that the Clerk’s Office will remain open on April 18th until 9:00 p.m. to accommodate eligible unregistered voters who wish to vote in the May 9th municipal election.

c) Township Attorney – The Township Attorney provided a proposed tax settlement. Mayor Tanella recused himself from the matter. The governing body concurred with the settlement.

d) Other Reports

Councilman Kumburis proposed the idea of creating a transit hub and train station in the Township. Councilman Kumburis read a prepared statement pertaining to the proposal. Mayor Tanella commented that a transit hub is one councilmember’s concern which has not yet been discussed with fellow councilmembers, and therefore any public discussion at this time is premature. Councilman Cicala voiced opposition to a transit hub at this point in time.

Councilman Cicala noted his concerns to maintain certain reservoir property as open space and potential means to accomplish that including possible acquisition of the property by the Township. Councilman Cicala suggested that the Township record its interest in maintaining the property as open space by resolution, to which the governing body agreed. The Manager described the property located on the west side of the reservoir, currently owned by the City of Newark. Councilman Cicala also suggested the possibility of pursuing a Rails to Trails grant via Open Space Trust Fund.

7. NEW BUSINESS

a) To consider resolution concerning appointment of Downtown Advisory Committee members

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

WHEREAS, the Township Council of the Township of Cedar Grove has established, pursuant to Ordinance No. 17-803, a Downtown Advisory Committee; and

WHEREAS, the Downtown Advisory Committee shall consist of seven members, one member also being a member of the Township Council, appointed by the Township Council; and

WHEREAS, the Governing Body desires to make appointments to the Downtown Advisory Committee in accordance with the Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Cedar Grove makes the following appointments to the Downtown Advisory Committee:

<u>APPOINTEE</u>	<u>DATE OF EXPIRATION OF APPOINTMENT</u>
Michael Maffucci, Councilmember	December 31, 2017
Patricia Montana	December 31, 2017
Joe Tencza	December 31, 2017
Gregg Boniello	December 31, 2018
Dave Fletcher	December 31, 2018
Stacia Lupinacci	December 31, 2019
Robbie Vargo	December 31, 2019

Councilman Longo moved adoption of the resolution, seconded by Councilman Cicala, and passed by the following vote:

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

NO: None

- b) To consider resolution concerning review and approval of Environmental Resource Inventory

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

WHEREAS, the Environmental Commission has completed a revised and updated Environmental Resource Inventory, originally compiled in December 2002; and

WHEREAS, the Environmental Resource Inventory is an important tool for the municipal land use boards, the Township Council, and citizens interested in learning about and protecting the environment of the Township of Cedar Grove; and

WHEREAS, the Environmental Resource Inventory has been reviewed by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Cedar Grove approves the February 2017 revised and updated Environmental Resource Inventory prepared by the Environmental Commission.

BE IT FURTHER RESOLVED that the Township Council recommends that the revised Environmental Resource Inventory be included in the 2017 Master Plan.

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

- c) To consider resolution concerning relocation of bus stop along Route 23N at Commerce Road

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

BE IT RESOLVED, that the Township Council of the Township of Cedar Grove supports the NJDOT's promulgation of a Traffic Regulation Order to establish a bus stop along the northbound easterly side of Route NJ 23 between Commerce Road and Stevens Avenue (mid-block) in the Township of Cedar Grove and described as follows:

Between Commerce Road and Stevens Avenue (CR 616) – (mid-block)

Beginning at a point 185 feet north of the northerly curb line of the southernmost intersect of Commerce Road and extending 135 feet northerly therefrom

BE IT FURTHER RESOLVED that the Township Council also supports the deletion of the existing northbound bus stop described as follows:

Commerce Road – (far side)

Beginning at the northerly curb line of Commerce Road and extending 90 feet northerly therefrom.

Fairview Avenue – (far side)

Beginning at the northerly curb line of Fairview Avenue and extending 90 feet northerly therefrom.

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 2016 LOSAP for Ambulance & Rescue Squad

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

WHEREAS, pursuant to N.J.S.A. 40A:14-191, the Cedar Grove Ambulance & Rescue Squad has certified to the Township of Cedar Grove a list of all volunteer members who have qualified for credit under the LOSAP program for the year 2016; and

WHEREAS, pursuant to N.J.A.C. 5:30-14.10 (b), the Township of Cedar Grove has reviewed and accepted the attached certified list of the Cedar Grove Ambulance & Rescue Squad; and

WHEREAS, pursuant to N.J.A.C. 5:30-14.10 (c), the Township of Cedar Grove shall return the certified list to the Cedar Grove Ambulance & Rescue Squad for posting to allow for sufficient time for membership review.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township Cedar Grove that the attached certified list herein of the Cedar Grove Ambulance & Rescue Squad is hereby accepted and returned to the respective emergency service organization for posting to allow sufficient time for membership review.

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

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

NO: None

- e) To consider resolution concerning assessment of liens

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>
172	53	Tanya & Roy Pier 114 Sunrise Terrace Cedar Grove, NJ 07009	\$759.00

Councilman Longo 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

- f) To consider resolution concerning purchase o utility vehicles through Morris County Co-operative Pricing Council

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 #15-C for the acquisition of utility vehicles; and

WHEREAS, the contract amount for the acquisition of three (3) utility vehicles will not exceed \$100,860.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 16-795, 16-796 and the Clean Communities Program.

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 #15-F for the acquisition of three (3) utility vehicles from DFFLM, LLC. for an amount not to exceed \$100,860.00.

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

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 \$331,888.64

Councilman Longo 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

Charles Dovico; 111 Holly Lane – President of 4 Seasons Homeowner Association – Mr. Dovico inquired the procedure regarding establishing a transit hub. Mr. Tucci stated that the process includes designation of an area in need of redevelopment, study of assessment of need, petition to NJDOT regarding viability.

Robbie Vargo; 102 Union St. – Mr. Vargo thanked the governing body for appointing members to the Downtown Advisory Committee. Mr. Vargo also noted concerns regarding the suggestion to establish/create a train station in the Township. Mr. Vargo also voiced support for preservation of open space.

John Martinelli; 30 Hillside Ave. – Mr. Martinelli stated that he supports the train station suggestion.

Kevin McVey; 19 Briarwood Terr. – Mr. McVey commented that he supports efforts to preserve the reservoir property as open space.

Jason Malyuk; 145 Anderson Pkwy. – Mr. Malyuk expressed concern with the suggested train station. Mr. Malyuk also objected to a councilman’s use of social media to promote the idea.

Donald Elting; 43 Greendale Rd. – Mr. Elting inquired whether the reservoir property was currently in danger of being developed.

Kerry Peterson; 41 Bortic Rd. – Ms. Peterson expressed concern for a proposed train station within the Township from a safety perspective.

John Kotis; 236 E. Lindsley Rd. – Mr. Kotis expressed concern regarding the suggested train station and its location. Mr. Kotis also noted concern regarding the inconsistent speed limit on E. Lindsley Road through Little Falls and Cedar Grove. The Manager recommended that the governing body request that the County consider reducing the speed limit in Cedar Grove to coincide with the speed limit in Little Falls, to which the governing body agreed.

10. ADJOURNMENT

Councilman Longo 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 8:10 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK