

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

COUNCIL STAFF MEETING

**MINUTES
7:00 P.M.**

SEPTEMBER 25, 2017

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Tanella called the meeting to order at 7:00 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, Peterson, Deputy Mayor Cicala, Mayor Tanella
Also Present: Township Manager Tucci, Township Attorney Zielinski, Township Clerk Stutz
Absent: Councilman Vargo

2. APPROVAL OF MINUTES

a) Executive Session – June 19, 2017

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

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

NO: None

ABSENT: Councilman Vargo

b) Staff Meeting – June 19, 2017

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

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

NO: None

ABSENT: Councilman Vargo

c) Executive Session – July 10, 2017

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

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

NO: None

ABSENT: Councilman Vargo

d) Executive Session – August 14, 2017

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

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

NO: None

ABSENT: Councilman Vargo

e) Executive Session – September 11, 2017 (Interview)

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

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

NO: None

ABSENT: Councilman Vargo

f) Executive Session – September 11, 2017

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

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

NO: None

ABSENT: Councilman Vargo

3. **TOWNSHIP MANAGER** – The Manager provided a memo from the Finance Director that recommended increase of the water and sewer fees, to which the governing body agreed. The Manager explained and reviewed the Best Practices Inventory Checklist prepared by the Finance Director. Mr. Tucci reported that the Township attained the necessary score to qualify for receipt of 100% of its CMPTRA and ETR aid. The Manager also noted a memo from the Municipal Engineer recommending award of bid for removal of leaves for a two-year contract period to the apparent low bidder, to which the governing body concurred.
4. **TOWNSHIP ATTORNEY** – Attorney Zielinski requested an executive session to discuss pending COAH litigation.
5. **TOWNSHIP CLERK** – The Clerk provided information regarding upcoming term expirations of board/committee members. Following a brief discussion, there was consensus to advertise for interested residents for all boards/committees.

6. COUNCIL REPORTS

Mayor Tanella recommended inclusion of two student members on the Recreation Advisory Board to which the governing body agreed. Mayor Tanella further suggested that all committees have a student member. There was consensus that the Township Attorney review the relevant ordinance(s). Mayor Tanella reported that following discussion with the Mayors of Little Falls and Woodland Park regarding the future focus of the Regional Flood Control Board, there is no need for Cedar Grove's continued membership. Mayor Tanella explained that the Board intends to focus on the Passaic River rather than the Peckman River going forward. Following further discussion, there was consensus to repeal the ordinance.

Deputy Mayor Cicala commented that the last public meeting is on youtube. Deputy Mayor Cicala commented on the banners around the high school athletic field and suggested the possibility of a similar banner display at Panther Park.

Councilman Kumburis requested clarification concerning location of location of traffic signal transfer switches and suggested placement on all traffic signals in the Township. The Manager explained that the Township has no traffic signals under its control, the switches are being installed by the State through a grant program. Councilman Kumburis commented on the upgraded high school athletic fields and concession, having attended the recent opening home football game.

Councilwoman Peterson noted an apparent vacancy on the Library Board of Trustees. The Manager advised the process for removal of the member absent a letter of resignation.

7. NEW BUSINESS

- a) To consider resolution concerning approval of raffle application – Rotary Club of Cedar Grove

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

WHEREAS an application for a raffle license has been received from:

<u>APPLICANT</u>	<u>EVENT, DATE, TIME, AND PLACE</u>
Rotary Club of Cedar Grove 874 Pompton Ave. Cedar Grove NJ 07009	On-Premise Merchandise Raffle to be held October 17, 2017 at 7:00 – 11:00 p.m. at 1131 Pompton Ave., Cedar Grove NJ

WHEREAS the fee has been paid, 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.

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

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

NO: None

ABSENT: Councilman Vargo

- b) To consider resolution concerning award of bid for furnishing & delivery of senior bus

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 Furnishing & Delivery of Senior Bus, and were publicly opened by the Township Clerk on September 12, 2017 as follows:

BIDDER	TOTAL BID AMOUNT
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Rohrer Enterprises, Inc.	\$ 58,500.00
Wolffington Body Company, Inc.	\$ 65,825.00

WHEREAS, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend awarding the bid to Rohrer Enterprises, Inc. of Ducannan, PA, the lowest responsible bidder, in the total amount of \$ 58,500.00.; and

WHEREAS, the funds are available to satisfy our obligations under this contract in Bond Ordinance No 17-808..

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, that the award of bid be made to Rohrer Enterprises, Inc. of Ducannan, PA.

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

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

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

NO: None

ABSENT: Councilman Vargo

- c) To consider resolution authorizing execution of shared services agreement – Public Health Services

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

RESOLUTION AUTHORIZING EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE TOWNSHIP OF MONTCLAIR FOR THE FURNISHING OF HEALTH SERVICES

WHEREAS, the Township of Cedar Grove desires to enter into an interlocal agreement with the Township of Montclair pursuant to which Montclair will furnish health services of a technical and professional nature to the Township of Cedar Grove, pursuant to N.J.S.A.26:3A-2-1 et seq.; and

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., (the “Act”) encourages municipalities and other local contracting units to enter into interlocal and other agreements for shared services in order to reduce property taxes through the reduction of local expenses; and

WHEREAS, the Act provides that municipalities may enter into agreements to provide or receive any service that each municipality is empowered to receive or provide within its own jurisdiction; and

WHEREAS, the Township Council has determined that it is in the best interests of the Township to receive health services from the Township of Montclair in exchange for payments to be made by the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, County of Essex, that the Mayor and Township Manager are hereby authorized to execute an agreement with the Township of Montclair to receive health services from the Township of Montclair.

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

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

NO: None

ABSENT: Councilman Vargo

- d) To consider resolution authorizing execution of employment contract

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

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Cedar Grove hereby authorizes execution of an employment agreement with the Township Manager.

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

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

NO: None

ABSENT: Councilman Vargo

- e) To consider resolution concerning aware of contract for engineering design services for Reconstruction of Bowden Road

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

WHEREAS, The Township has a need for professional engineering design services for the Reconstruction of Bowden Road project; and

WHEREAS, pursuant to advertising duly made for a fair and open contract in accordance with N.J.S.A. 19:44A-20.1 et. seq., proposals were received and publicly opened by the Township Clerk on July 26, 2017 as follows; and

<u>PROPOSER</u>	<u>AMOUNT</u>
Neglia Engineering Assoc.	\$ 21,440.
CME Associates	\$ 99,247.

WHEREAS, the Municipal Engineer has recommended that a contract for the above referenced professional services be awarded to Neglia Engineering Assoc.; and

WHEREAS, funds are now available for this purpose in 2017 Municipal Budget Capital Improvements – Improvements to Bowden Road

NOW, BE IT RESOLVED by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, as follows:

1. The Township Manager is hereby authorized and directed to execute an agreement with Neglia Engineering Assoc. of Lyndhurst, NJ, for an amount not to exceed \$21,440.00 in accordance with the proposal dated July 26, 2017
2. This agreement is awarded as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because of the technical of the professional services required for this project; and
3. A notice of this agreement shall be published in the Verona-Cedar Grove Times as required by law.

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

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

NO: None

ABSENT: Councilman Vargo

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 \$ 452,860.58.

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

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

NO: None

ABSENT: Councilman Vargo

9. PUBLIC COMMENT

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

Mayor Tanella commented on concerns with proposed redeveloper agreement. The Township Attorney recommended discussion in executive session.

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 September 25, 2017.
2. The general nature of the subject matters to be discussed is potential litigation K. Hov redevelopment agreement and pending 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.

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

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

NO: None

ABSENT: Councilman Vargo

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:45 p.m. by acclaim.