

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

PUBLIC MEETING

MINUTES

OCTOBER 2, 2017

1. ROLL CALL, INVOCATION AND FLAG SALUTE

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

Present: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, 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 September 11, 2017

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

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

NO: None

3. PUBLIC HEARING

- a) To consider adoption of Pending Ord. #17-815 Amending designated Redevelopment Entity for Cedar Grove Redevelopment Plan for Hilltop Property

The ordinance was read by title only:

**AN ORDINANCE DESIGNATING THE TOWNSHIP COUNCIL OF CEDAR GROVE AS
THE REDEVELOPMENT ENTITY FOR THE CEDAR GROVE REDEVELOPMENT PLAN
- HILLTOP PROPERTY**

Mayor Tanella opened this portion of 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 Cicala 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 Vargo, and passed by the following vote:

AYE: Councilmembers Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
NO: None

- b) To consider adoption of Pending Ord. #17-816 Ordinance Authorizing Tax Exemption and PILOT for Cedar Grove Redevelopment Plan – Hilltop Property

The ordinance was read by title only:

AN ORDINANCE AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES FOR THE CEDAR GROVE REDEVELOPMENT PLAN – HILLTOP PROPERTY

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

Rein Emrich; 23 Greendale Road – Mr. Emrich raised several questions concerning the pilot agreement that were addressed by both the Township Manager and Township Attorney. Mr. Emrich voiced his opposition to the pilot agreement. Mr. Emrich disagreed with benefits to the Township that the pilot agreement referenced.

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

Deputy Mayor Cicala 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 Vargo, and passed by the following vote:

AYE: Councilmembers Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
NO: None

4. AWARD OF BID

- a) To consider resolution concerning award of bid for Removal of Leaves

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 loading, transportation, and disposal of leaves, and was publicly opened and read by the Township Clerk on September 13, 2017 as follows:

<u>CONTRACTOR</u>	<u>LEAVES/CU. YD</u> (ONE YEAR)	<u>LEAVES/CU. YD</u> (TWO YEAR)
Caputo Bros. Tree Service	\$7.00	\$7.00
RER Supply	\$8.25	\$8.25
S. Rotundi & Sons, Inc.	\$8.49	\$8.49

WHEREAS, the Township Engineer, and the Township Attorney have reviewed the bids and recommend awarding the bid to Caputo Bros. Tree Service of Montclair, NJ, the apparent low bidder, for a two year term; and

WHEREAS, funds are available for this purpose in the Refuse Collection District Budget.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the award of bid be made to Caputo Bros. Tree Service of Montclair, New Jersey for the loading, transportation and disposal of leaves in the amount of \$7.00 per cubic yard for a two-year contract term; and

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

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

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, 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 Township Manager announced a joint fund drive being conducted by Police Dept. and Essex County Prosecutor’s Office to provide relief to hurricane victims in Puerto Rico.

b) Township Clerk – The Clerk noted the Municipal Clerks State Association for a resolution to oppose current legislative proposals amending OPMA and OPRA. Mayor Tanella requested additional information for further discussion at the next staff meeting, to which the governing body agreed.

c) Township Attorney – Attorney Zielinski requested an executive to discuss pending COAH litigation. Attorney Zielinski advised that the resolution pertaining to execution of the developer agreement with K. Hovnanian (Agenda Item 8(e)) should be removed from the agenda. Mayor Tanella commented that he had some questions relevant to the agreement. Following a brief discussion between the Mayor and Township Attorney, Mayor Tanella requested an executive session to discuss the developer agreement.

d) Other Reports

Mayor Tanella requested that the Township Attorney review board/committee ordinances to add a student member to each board/committee.

Deputy Mayor Cicala reported that he had contacted the Board of Education Superintendent for recommendation of student(s) to fill a vacancy on the CATV Committee.

Councilwoman Peterson announced the upcoming MAC sponsored Fall Movie night on October 21st. Councilwoman Peterson also announced the annual flu shot clinic on October 25th.

Councilman Vargo provided a brief summary of the recent Downtown Advisory Committee town hall style meeting held September 14th. Councilman Vargo noted a DAC survey that is currently circulating on Facebook and Discover CG website. Councilman Vargo inquired the status of request for crosswalk on W. Bradford Ave. near Panther Park and Blasi Field. Councilman Vargo also commended the response of Ptl. Chris Heck on September 18th to a local exercise facility.

Councilman Kumburis inquired the possibility of providing meeting accessibility for the hearing impaired. The Manager advised that issue is currently being addressed via municipal court.

7. CONSENT AGENDA

- a) To consider resolution concerning appointment member to CATV Committee

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, County of Essex, New Jersey, that Andrew Fistner be appointed as a member of the CATV Committee to fill an unexpired term, effective immediately and terminating December 31, 2019.

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

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

NO: None

- b) To consider resolution concerning appointment of student member(s) to Recreation Advisory Board

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, County of Essex, New Jersey, that Chamberlain Ricco and Julianna Cicala be appointed as student members to the Recreation Advisory Board to fill an unexpired term, effective immediately and terminating December 31, 2018 and December 31, 2019 respectively.

Following discussion related to term expirations, Mayor Tanella requested withdrawal of resolution, to which the governing body agreed.

8. NEW BUSINESS

- a) To consider introduction of Pending Ordinance #17-812 Amending Chapter 251 of the Township Code entitled "Vehicles and Traffic"

The clerk read the Ordinance by title only:

AN ORDINANCE OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, STATE OF NEW JERSEY AMENDING §251 OF THE CEDAR GROVE TOWNSHIP CODE TO PROVIDE FOR RESTRICTED HANDICAPPED PARKING AT RESIDENCES

WHEREAS, N.J.S.A. 39:4-197.6 permits a municipality to establish a restricted parking zone in front of a residence occupied by a handicapped person; and

WHEREAS, the Township Council of the Township of Cedar Grove has determined it necessary to be able to establish such restricted handicapped parking zone(s); and

WHEREAS, the Township has determined that a restricted handicapped parking space is necessary because a handicapped citizen lives at a designated address; and

WHEREAS, the Township has determined that allowing for restricted handicapped parking zone(s) will promote general safety within the Township.

NOW THEREFORE BE IT ORDAINED by the Township Council that the Township Code Chapter 251, ARTICLE II. Parking is hereby amended to add the following:

Section 11. Restricted Handicapped Parking at Residences

- A. Parking prohibited. No person except as permitted under this section shall park a motor vehicle in any restricted handicapped parking zone in front of any residence so designated by ordinance pursuant to N.J.S.A. 39:4-197.6
- B. Designation of restricted handicapped parking zones. Restricted handicapped parking zones in front of a residence may be established from time to time by the Mayor and Council by ordinance, provided that such residence is occupied by a handicapped person or persons as defined by law, and:
 - 1) A windshield placard or wheelchair symbol license plate has been issued for a vehicle owned by the handicap person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicle pursuant to the provisions of P.L. 1949, c280 (C.39:4-204 et seq.), and
 - 2) Provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic.
- C. Delineation and signs. The designated restricted parking zones established in front of residences by Ordinance shall be delineated by or at the direction of the Chief of Police, who shall see to the erection of appropriate signs pursuant to N.J.S.A. 39:4-198.
- D. Establishment, the Chief of Police shall provide for the procedure for the establishment of restricted handicapped parking zone, residence of handicapped person.

- E. Upon the lapse of windshield placard or wheelchair symbol license plates, whether caused by the failure of the permittee to reapply, or the death of the permittee, or for any other reason, the restricted handicapped parking zone, residence of handicapped person shall be deemed no longer to be so designated, and all restrictive delineations and signs shall be removed upon the direction of the Chief of Police.
- F. No overnight parking is permitted in any restricted handicapped parking zone nor is parking permitted in any restricted handicapped parking zone in violation of the Township's Ordinances regarding snow removal.
- G. Penalties, any person parking a motor vehicle in a restricted parking space or zone as set forth in this section without a permit shall be subject to punishment pursuant to N.J.S.A. 39:4-197, Subsection (3) c.

BE IT FURTHER ORDAINED by the Township Council that the Township Code Chapter 251, ARTICLE XII: Schedules be amended to add the following:

Schedule XX. Designated Restricted Handicapped Parking Space

In accordance with §Chapter 251-11, a designated restricted handicapped parking space is hereby established at the following location(s):

- 1) directly in front of 38 Bowden Road

The provisions of this Ordinance shall be applicable within Cedar Grove Township upon final adoption and shall become part of the Cedar Grove Township Code once completed and adopted.

Deputy Mayor Cicala moved that Pending Ordinance #17-812 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 16, 2017, seconded by Councilman Vargo, and passed by the following vote:
AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
NO: None

- b) To consider introduction of Pending Ord. No. 17-817 Amending Chapters 259 and 2017 of the Township Code entitled "Water" and "Sewer" respectively

The clerk read the Ordinance by title only:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CEDAR GROVE
TO PROVIDE FOR THE INCREASE IN FEES.

BE IT ORDAINED, by the Township Council of the Township of Cedar Grove, County of Essex and the State of New Jersey as follows:

Section 1. The Code of the Township of Cedar Grove, Chapter 259, Water, Article II, Rates, Charges and Fees; Collection-Paragraph 259-10 is amended as follows:

The rents, rates and charges for water supplied by the Township to any premise is hereby fixed in accordance with the following schedule; provided, however, that the same may be changed or altered by ordinance.

- A. Schedule. Rate per one thousand (1,000) gallons: Five Dollars and Zero Cents (\$5.00).
- B. Minimum charges per quarter year when consumption charges at the foregoing rates are less than Twenty Five Dollars and Zero Cents (\$25.00) shall be Twenty Five Dollars and Zero Cents (\$25.00).

Section 2. The provisions of this ordinance shall be reflected in the water billing date of November 1, 2017.

Section 3. The Code of the Township of Cedar Grove, Chapter, 217, Sewers, Section 217-16, Sewer Service Charges is amended as follows:

- C. Properties served by the sewerage system of the Township shall pay a quarterly charge in accordance with the following schedule:
 - (1) For the first 20,000 gallons or less: Ninety Dollars and Zero Cents (\$90.00)
 - (2) Over 20,000 gallons: Seven Dollars and Thirty-Five Cents (\$7.35) per 1,000 gallons.

Section 4. The provisions of this ordinance shall be reflected in the sewer billing date of November 1, 2017.

Section 5. This ordinance shall take effect upon final reading and publication in accordance with law.

Councilman Vargo moved that Pending Ordinance #17-817 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 16, 2017, seconded by Councilman Kumburis, and passed by the following vote:
 AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
 NO: None

- c) To consider introduction of Pending Ord. 17-818 Repealing Chapter 29 of the Township Code entitled "Flood Control Board, Regional"

The clerk read the Ordinance by title only:

AN ORDINANCE REPEALING CHAPTER 29 OF THE CODE OF THE TOWNSHIP OF CEDAR GROVE IN ITS ENTIRETY ENTITLED "FLOOD CONTROL BOARD, REGIONAL"

WHEREAS, the Township of Cedar Grove ("Township") is a member of the West Paterson-Cedar Grove-Little Falls Passaic Valley Flood Control Board ("Board"); and

WHEREAS, a determination has been made that it is in the best interests of the Township to cease membership on the Board; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Cedar Grove that the Municipal Code be amended as follows:

SECTION 1

Chapter 29, FLOOD CONTROL BOARD, REGIONAL

Chapter 29 of the Code of the Township of Cedar Grove (§29-1 to §29-13) is hereby repealed in its entirety.

SECTION 2

Each section of this ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity of constitutionality of any other sections or parts thereof.

SECTION 3

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION 4

This Ordinance shall take effect immediately as provided by law.

Councilwoman Peterson moved that Pending Ordinance #17-818 be passed at first reading, published in the Verona-Cedar Grove Times as a pending ordinance with a public hearing of October 16, 2017, seconded by Deputy Mayor Cicala, and passed by the following vote:

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

NO: None

ABSTAIN: Councilman Kumburis

- d) To consider introduction of Pending Ord. No. 17-819 Amending Chapter 59 of the Township Code entitled "Recreation Advisory Board"

This item was removed from the agenda.

- e) To consider resolution authorizing execution of Developer Agreement with K. Hovnanian at Cedar Grove Urban Renewal, LLC

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

RESOLUTION OF THE TOWNSHIP OF CEDAR GROVE, COUNTY OF ESSEX, NEW JERSEY, DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT CONCERNING THE CEDAR GROVE REDEVELOPMENT PLAN – HILLTOP PROPERTY

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended from time to time (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land in the municipality constitute "areas in need of redevelopment," as defined in the Redevelopment Law; and

WHEREAS, on January 22, 2001, the Township Council (the "Council") of the Township of Cedar Grove ("Township") designated in area of the Township consisting of approximately 300 acres known as the Hilltop Property as an area in need of redevelopment; and

WHEREAS, The Council, by Ordinance Number 01-552, adopted March 19, 2001, and Ordinance Number 01-563 adopted June 4, 2001, enacted a redevelopment plan entitled the Cedar Grove Redevelopment Plan – Hilltop Area (the “Redevelopment Plan”) as the redevelopment plan for the entire Hilltop Property; and

WHEREAS, The Council, by Ordinance Number 04-619, adopted December 6, 2004 enacted an amendment to the Cedar Grove Hilltop Redevelopment Plan Ordinance; and

WHEREAS, K. HOVNANIAN at Cedar Grove Urban Renewal, LLC, (the “Redeveloper”) has been formed to take title to a portion of the Hilltop Property known as Block 70 Lot 2, block 101 Lot 1.01 and Block 101 Lot 2 (the “Property”) upon which is to be developed residential housing in accordance with the Redevelopment Plan as amended; and

WHEREAS, 460 residential units are planned to be developed on the Property together with a club house, outdoor pool and supporting infrastructure (the “Project”); and

WHEREAS, the Township and Redeveloper desired to enter into an agreement to address matters concerning the redevelopment of the Property (the “Redevelopment Agreement”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-4c, the Council has designated the Council to act as the “Redevelopment Entity” (as such term is defined at N.J.S.A. 40A:12A-3) for the Property and to exercise the powers contained in the act to facilitate the development of the Project; and

WHEREAS, Redeveloper has made application to be designated as the Redeveloper for the Property, for which Redeveloper has acquired title, and Redeveloper has provided information consisting of documentation evidencing financial responsibility and capability with respect to the Project, estimated total development costs an estimated time schedule for commencement and completion of the Project; and

WHEREAS, the Township has determined that Redeveloper meets all necessary criteria including financial capabilities, experience, expertise, and project concept descriptions, and as a result has determined to enter into a Redevelopment Agreement to designate Redeveloper as an exclusive Redeveloper of the Property; and

WHEREAS, Redeveloper has agreed to develop a project on the Property consistent with the Redevelopment Plan; and

WHEREAS, in order to implement the development, financing, construction, operation and management of the project, the Township now desires to enter into the Redeveloper Agreement for the Property a form of which Redevelopment Agreement is attached hereto as **Exhibit A** and which Redevelopment Agreement specifies the rights and responsibilities of the Township, designates Redeveloper as the Redeveloper of the Project and specifies the rights and responsibilities of the Redeveloper with respect to the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF CEDAR GROVE AS FOLLOWS:

1. The recitals are incorporated herein as if set forth at length.

2. The Mayor is hereby authorized to execute the Redevelopment Agreement for the Property substantially in the form as attached hereto as **Exhibit A**, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion, in consultation with the City's professionals, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate actions to effectuate the Redevelopment Agreement.
3. This Resolution shall take effect immediately.

At the Township Attorney's request, this item was withdrawn from the agenda.

- f) To consider resolution concerning Best Practices Checklist

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

WHEREAS, the State's Fiscal Year 2017 Appropriations Act (P.L.2016, c.10) requires a Best Practices Inventory be completed by each municipality; and

WHEREAS, the Chief Financial Officer has completed and submitted the Best Practices Inventory to the Township Manager; and

WHEREAS, the Township Manager has provided a copy of said inventory to the Township Council; and

WHEREAS, the required certifications have been made and the inventory has been submitted to the Division of Local Government Services; and

WHEREAS, the Township Manager has reviewed and discussed the results of the inventory with the Township Council during its regular public meeting of October 2, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council that the Best Practices Inventory has been reviewed by the Township Council.

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

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

NO: None

- g) To consider resolution concerning submission/execution of 2018 NJDOT grant application/agreement

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

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Improvements to Harper Terrace project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Cedar Grove, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2018-Cedar Grove Township-00628** to the New Jersey Department of Transportation on behalf of the Township of Cedar Grove.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Cedar Grove and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, 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 \$83,122.90

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

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, 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 announced upcoming sponsored events; Hazardous Waste Collection and Computer and Electronics Recycling on October 7th and October 21st respectively. Ms. Hartwyk also recommended the Township Engineer contact the County Engineer regarding placement of a crosswalk on W. Bradford Ave.

Chris Jennings; 100 W. Lindsley Rd. – Mr. Jennings voiced traffic concerns regarding the W. Lindsley/Mountain Ave. and Rt. 23 intersection. Mr. Jennings suggested adjustment of traffic signal timing. The Manager explained that NJDOT has jurisdiction of the traffic signalization and the issue is supposed to be addressed in Phase II of the Rt. 23 improvements.

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
2. The general nature of the subject matters to be discussed is pending COAH litigation and K. Hovnanian developer's agreement.
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 Vargo moved adoption of the resolution, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
NO: None

11. ADJOURNMENT

Councilman Vargo moved adjournment of the public council meeting, seconded by Councilman Kumburis, and passed by the following vote:

AYE: Councilmember Kumburis, Peterson, Vargo, Deputy Mayor Cicala, Mayor Tanella
NO: None

The meeting adjourned at 8:05 p.m.

PETER H. TANELLA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK