

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

**COUNCIL STAFF MEETING MINUTES OCTOBER 16, 2017
IMMEDIATELY FOLLOWING SPECIAL PUBLIC MEETING AT 7:00 P.M.**

1. ROLL CALL – OPEN PUBLIC MEETING STATEMENT BY MAYOR

Mayor Tanella called the meeting to order at 7:45 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, Vargo, Deputy Mayor Cicala, Mayor Tanella
Also Present: Township Manager Tucci, Township Attorney Zielinski, Township Clerk Stutz

2. APPROVAL OF MINUTES

a) Executive Session – September 25, 2017 (Interview)

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

ABSTAIN: Councilman Vargo

b) Staff Meeting – September 25, 2017

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

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

NO: None

ABSTAIN: Councilman Vargo

c) Executive Session – September 25, 2017

Councilman Kumburis moved approval 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

ABSTAIN: Councilman Vargo

3. TOWNSHIP MANAGER – The Manager provided a memo from the Municipal Engineer that recommended rejection of the bid for furnishing equipment & personnel for snow removal, to which the governing body agreed. The Manager provided a report from the Tax Assessor regarding added assessments for the year.

4. TOWNSHIP ATTORNEY – No report

- 5. TOWNSHIP CLERK** – The Clerk provided additional information regarding proposed amendments to OPMA and OPRA legislation. There was consensus to discuss at the next staff meeting.

6. COUNCIL REPORTS

Councilwoman Peterson provided an update of architects' review of library space. Councilwoman Peterson stated that the role of the public library has expanded to serve as a community center for various age groups. Councilwoman Peterson advised that in order to obtain some input and entice the teen segment of the population to frequent the Library, a "Teen Night" is being planned to take place prior to the tree lighting ceremony. During further discussion, the Township Manager explained that the Library is subject to Local Public Contracts Law.

7. NEW BUSINESS

- a) To consider resolution concerning approval of raffle application – Eva's Village, Inc.

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>
Eva's Village, Inc. 393 Main St. Paterson NJ 07009	On-Premise Draw Raffle November 2, 2017 at 8:30 p.m. at 691 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 Councilman Kumburis and passed by the following vote:

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

- b) To consider resolution concerning special item of revenue

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

WHEREAS, N.J.S.A. 40A:4-87, provides that the Director of Local Government Services may approve the insertion of a special item of revenue in the Municipal Budget of the Township of Cedar Grove for 2017 when such items shall have been available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Cedar Grove, Essex County, New Jersey, that it hereby requests that the Director of the Division of Local Government Services to approve the insert of an item of revenue in the budget of the year 2017 in the sum of \$2,990.70, which is now available as a revenue from the Body Armor Replacement Fund Program, which is administered by the Division of Criminal Justice, pursuant to the provision of statute; and

BE IT FURTHER RESOLVED that a like sum of \$2,990.70 is hereby appropriated under the caption:

Body Armor Replacement Fund Program \$2,990.70

Councilman Vargo 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

c) To consider resolution reduction of performance bond – Grove Street SPE, LLC

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

In the Matter of:
Grove Street SPE, LLC
Block 71, Lot 2

WHEREAS, Grove Street SPE, LLC received preliminary and final site plan approval for Block 71, Lot 2, from the Zoning Board; and

WHEREAS, a developer's agreement was approved by the Mayor and Council of the Township of Cedar Grove on April 6, 2015; and

WHEREAS, sureties were posted to guarantee construction of site improvements consistent with the Zoning Board approval of the project; and

WHEREAS, a performance bond (First Indemnity of America Insurance Co. Bond No. CT021007) was posted by Grove Street SPE, LLC on June 12, 2015; and

WHEREAS, Grove Street SPE, LLC has requested release of certain sureties; and

WHEREAS, the Municipal Engineer has inspected said premises to consider reduction/release of said sureties; and

WHEREAS, the Municipal Engineer has recommended reduction of the existing performance bond only.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve the reduction of Performance Bond No. CT021007 from \$864,304.20 to \$454,597.20

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

- d) To consider resolution concerning participation in Essex County Urban County Community Development Program

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 Mayor and Council of the Township of Cedar Grove that it hereby re-authorizes the Mayor to execute the attached Cooperation Agreement and re-affirms the previous resolution of the Township Council of June 19, 2017, to advise the Essex County Division of Community Development of the Township Council's decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2018, 2019 and 2020 (June 1, 2018- May 31, 2020); and

BE IT FURTHER RESOLVED, that a copy to this resolution be forwarded to the Essex County Division of Housing & Community Development.

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

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.

Councilman Kumburis 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

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.

Charles Dovico; 111 Holly Lane; Four Seasons Homeowners Association – Mr. Dovico thanked Township officials for the recent presentation of identity theft program, particularly Det. Zajack.

Mayor Tanella closed this portion of the meeting.

Councilman Vargo requested an executive session to discuss pending COAH litigation.

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 October 16, 2017.
2. The general nature of the subject matters to be discussed is 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.

Councilman Vargo 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

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 8:00 p.m. by acclaim.