

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

SPECIAL PUBLIC MEETING

MINUTES

OCTOBER 29, 2018

1. ROLL CALL AND FLAG SALUTE

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

Present: Councilmembers Kumburis, Peterson, Tanella, Deputy Mayor Vargo, Mayor Cicala
Also Present: Township Manager Tucci, Attorney Semeraro, Township Clerk Stutz

The flag salute was led by Mayor Cicala.

Mayor Cicala 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 by fax and on August 22, 2018, 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. INTRODUCTION OF HONORED GUESTS

- Senator Kristen Corrado
- Assemblyman Christopher DePhillips
- Assemblyman Kevin Rooney

3. PRESENTATION BY SPECIAL COAH COUNSEL MARK SEMERARO, ESQ.

Attorney Semeraro explained the history of affordable housing, noting that the Township is legally obligated to provide affordable housing. Attorney Semeraro further commented that the affordable housing issue/obligation is not unique to Cedar Grove, but affects all municipalities state-wide. Attorney Semeraro detailed the recent actions taken by the governing body to settle the declaratory judgment litigation. Attorney Semeraro further commented that the current meeting is not to address the recently passed zoning ordinances, but to provide residents an opportunity to meet and hear from their State legislators how best to address affordable housing concerns. There followed a lengthy round table discussion by and with state legislators on the affordable housing issue, proposed legislation, and best way to bring about change.

4. MEETING OPEN TO RESIDENTS OF THE TOWNSHIP WISHING TO BE HEARD ON ANY ITEM ON THE AGENDA

Mayor Cicala opened this portion of the meeting to anyone wishing to be heard on any item on the agenda.

Jim Byrd; former Mayor Hopewell Township, Mercer County – Mr. Byrd advised that he is a member of a group “Citizens Improving Affordable Housing” and offered to provide contact

information of legislators to contact regarding affordable housing and pending legislation, as well as sample letter for residents to send to legislators to effect changes. Following is commentary of the evolution of affordable housing and builder remedy lawsuits into a political issue and needed legislative reform, Assemblyman Rooney commented that a body of people (residents, municipal officials) appearing in Trenton provides a bigger impact that a letter writing campaign.

Luz Sautner; 38 Bowden Rd. – Ms. Sautner commented that affordable housing units in a municipality should be available to the municipality’s residents. Ms. Sautner further commented that municipal employees should have information available for residents regarding qualification for affordable housing.

Robert O’Toole; 3 Old Orchard Ct. – Mr. O’Toole inquired if there was any proposed legislation to revise the affordable housing development ratio.

John Martinelli; 30 Hillside Ave. – Mr. Martinelli recounted experiences in another community regarding affordable housing, required development and resulting impact on the community. Mr. Martinelli also commented that affordable housing is a builder issue. Assemblyman DePhillips commented that legislators want affordable housing in a reasonable way, i.e. that does not change the character of a community. Deputy Mayor Vargo requested direction on what the Township can do as a community to break the legislative logjam. Assemblyman Rooney responded that the upcoming League of Municipalities offers an opportunity for elected officials to voice concerns collectively and establish a coalition to address affordable housing reform with legislators.

Sal Minieri; 26 Sweetwood Dr. – Mr. Minieri remarked that logic and fairness were the basis of law, but is now not the usual practice. Mr. Minieri further commented that what is occurring now with affordable housing appears unethical, as the issue is being used a political agendas. Mr. Minieri suggested that the public needs to directly address the legislators that are causing roadblocks to pending legislation to minimize affordable housing impacts on municipalities.

Bridget Bauer; 47 Rose Terr. – Ms. Bauer inquired what kind of pressure could be placed on legislators to effect changes that resulted in discussion of proposed legislation.

Emmett Accocella; 321 Bowden Rd. – Mr. Accocella voiced support of joining forces with other towns to combat the affordable housing issue.

Peter Ulrich; 15 Reservoir Pl. –Mr. Ulrich inquired the means by which young people could get involved to effect change that was addressed by Assemblyman DePhillips.

Kevin McVey; 19 Briarwood Terr. –Mr. McVey thanked the legislators’ efforts to effect change by sponsoring amending legislation and voiced support for a road trip to Trenton.

Charles Dovico; 111 Holly Lane – Mr. Dovico commented that he favors a coalition of elected officials to appear in Trenton on the affordable housing issues.

David Livelli; 17 Old Bridge Rd. – Mr. Livelli inquired the financial penalty for a municipality not meeting its affordable housing obligation. Assemblyman Rooney responded that a municipality’s

failure to meet affordable housing obligations subjects the municipality to builder remedy lawsuits that resulted in a lengthy discussion.

Luz Sautner; 38 Bowden Rd. – Ms. Sautner restated that the Township’s employees should have information available for its residents seeking affordable housing within the municipality.

Jim Byrd; former Mayor Hopewell Township, Mercer County – Mr. Byrd recounted various affordable housing experiences in Hopewell Township. Mr. Byrd also noted the date and time of an upcoming state affordable housing meeting (November 29, 2019 at 10:00 a.m. at William Paterson University)

John Martinelli; 30 Hillside Ave. – Mr. Martinelli inquired where Fair Share Housing Center gets its power from to determine obligation numbers. Senator Corrado explained that there is a formula that is used across the state, which is outdated but still in effect. Senator Corrado further commented that FSHC did not have power in prior affordable housing rounds, it occurred when COAH’s regulatory process broke down. Assemblyman Rooney also commented that FSHC’s power also increased when judges permitted FSHC to intervene in the Court process.

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

5. ADJOURNMENT

Councilman Tanella moved adjournment of the meeting, seconded by Deputy Mayor Vargo, and passed by unanimously.

The meeting adjourned at 9:15 p.m.

JOSEPH CICALA MAYOR

ATTEST:

KATHLEEN R. STUTZ MUNICIPAL CLERK