

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

COUNCIL STAFF MEETING

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

DECEMBER 18, 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, Vargo, Deputy Mayor Cicala, Mayor Tanella
Also Present: Township Manager Tucci, Township Attorney Zielinski, Township Clerk Stutz

2. APPROVAL OF MINUTES

- a) Executive Session – November 20, 2017 (Interview)

Councilman Vargo moved approval and release 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

- b) Staff Meeting – November 20, 2017

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

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

NO: None

3. TOWNSHIP MANAGER – The Manager requested an executive session to discuss COAH litigation.

4. TOWNSHIP ATTORNEY – Attorney Zielinski requested an executive session to discuss K. Hovnanian redevelopment agreement.

5. TOWNSHIP CLERK – The Clerk provided correspondence from the Linda von Nessi, Clerk of the Board of Elections. There was consensus to discuss election poll location at the next staff meeting. The Clerk noted receipt of a letter of interest. There was consensus to interview the interested resident prior to next public meeting.

6. COUNCIL REPORTS

Mayor Tanella advised that the Board of Education would like to conduct a joint meeting on Tuesday, January 16th. Following discussion there was consensus to conduct a joint meeting

on another mutually agreeable date. Mayor Tanella requested to formally dedicate the Council Chambers to former Judge Scanlon, to which the governing body agreed.

Councilwoman Peterson advised that she attended the recent dinner for resigning long-time Advisory Health Council member Eileen Bogdanowicz and presented the certificate of recognition from the governing body.

Councilman Vargo suggested that the Township offer a jitney service for resident train commuters. Following brief discussion, there was consensus to put issue on the next staff agenda for further discussion. Councilman Vargo noted that the Downtown Advisory Committee is working on plans to host a “business spotlight” to inform residents of current businesses in the downtown business area. Councilman Vargo also suggested that the Township formally honor former State Trooper and resident Lt. Bill Fearon, to which the governing body agreed.

7. NEW BUSINESS

- a) To consider resolution concerning approval of raffle application – Junior League Montclair Newark

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

WHEREAS, application for raffle license has been received from:

APPLICANTS

Junior League of Montclair-Newark Inc.
40 South Fullerton Ave.
Montclair NJ 07042

EVENTS, DATES TIMES & PLACE

Off-Premise 50/50 Raffle to be held
April 25, 2018 at 7:30 at
170 E. Lindsley Rd., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and 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.

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

- b) To consider resolution concerning approval of raffle applications – Apple Montessori Elementary Parent Association

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

WHEREAS, applications for raffle license have been received from:

APPLICANT**EVENTS, DATES TIMES & PLACE**

Apple Montessori Elem. Parent Assoc.
25 Nevins Road.
Wayne NJ 07009

On-Premise 50/50 Raffle to be held
March 22, 2018 at 8:30 p.m. at
691 Pompton Ave., Cedar Grove NJ 07009

Apple Montessori Elem. Parent Assoc.
25 Nevins Road.
Wayne NJ 07009

On-Premise Merchandise Raffle to be held
March 22, 2018 at 5:00 – 11:00 p.m. at
691 Pompton Ave., Cedar Grove NJ 07009

Apple Montessori Elem. Parent Assoc.
25 Nevins Road.
Wayne NJ 07009

Off-Premise Merchandise Raffle to be held
March 22, 2018 at 8:00 p.m. at
691 Pompton Ave., Cedar Grove NJ 07009

WHEREAS, the fees have been paid, and the applications have 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 applications.

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

c) To consider resolution concerning renewal of Limousine License for 2018

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

WHEREAS, application for limousine license for 2018 has been received from:

APPLICANT

Dan Arnautu
28 Haller Dr.
Cedar Grove, NJ 07009

TRADE NAME

S-Class Service, Inc.

WHEREAS, a satisfactory investigation has been conducted by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that it does hereby approve said application.

BE IT FURTHER RESOLVED that the Township Clerk be directed to renew said limousine license for the above named applicant.

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

- d) To consider resolution concerning renewal of Amusement Business Licenses for 2018

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

WHEREAS, the following businesses have applied for renewal of their Amusement Business Licenses for 2018:

| APPLICANT | TRADE NAME | LICENSE FOR |
|-------------------------------|-------------------|--------------------|
| Prompton Restaurant Assoc. | Il Tulipano | Night Club |
| Second Gen Catering Co., Inc. | The Grove | Night Club |
| Edward Fitzpatrick, Inc. | The Grasshopper | Night Club |

WHEREAS, the applications have been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above locations comply with local ordinances;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to renew the licenses of the above-named establishments.

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

- e) To consider resolution concerning renewal of Amusement Device License for 2018

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

WHEREAS, the following entities has applied for renewal of their Amusement Device License for 2018:

| APPLICANT | LICENSE FOR |
|--------------------------|-----------------------|
| Cedar Grove Elks #2237 | Juke Box |
| Edward Fitzpatrick, Inc. | Video Game & Juke Box |

WHEREAS, the applications have been reviewed, the fees have been paid, and the Fire Prevention Bureau, Code Enforcement Official, the Police Department have all made inspections and certify that the above locations comply with local ordinances;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Cedar Grove that the Township Clerk be directed to renew the licenses of the above-named establishments.

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

- f) To consider resolution concerning purchase through national co-operative

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 National Joint Powers Alliance (NJPA) for the purchase and installation of a Caterpillar Generator, parts and accessories at the Cedar Grove Municipal Building; and

WHEREAS, the contract amount for the purchase and installation of a Caterpillar Generator, parts and accessories at the Cedar Grove Municipal Building will not exceed \$250,000.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract through Bond Ordinance No. 12-752 and 17-821.

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 National Joint Powers Alliance the purchase and installation of a Caterpillar Generator, parts and accessories for the Cedar Grove Municipal Building from Foley Power Equipment, Inc. for an amount not to exceed \$250,000.00

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

- g) To consider resolution concerning award of bid for Reconstruction of Cedar Street

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 Reconstruction of Cedar Street, and were publicly opened by the Township Clerk on September 26, 2017, as follows:

| <u>BIDDER</u> | <u>TOTAL BASE BID</u> |
|-------------------------------------|-----------------------|
| AJM Contractors Inc. | \$ 388,698.00 |
| Paving Materials & Contracting, LLC | \$ 450,415.25 |
| DLS Construction | \$ 452,740.00 |
| D & L Paving Contractors | \$ 461,073.89 |
| 4 Clean Up Inc. | \$ 477,035.00 |
| Smith Sondy Asphalt Constr. Co. | \$ 479,801.50 |
| Cifelli & Son Gen. Const. | \$ 484,237.00 |

WHEREAS, the Municipal Engineer and Township Attorney have reviewed the bids submitted, and recommend that the award bid to AJM Contractors Inc. of Clifton, New Jersey, the apparent low bidder, in the amount of \$ 388,698.00; and

WHEREAS, the funds are available to satisfy our obligations under this contract from Bond Ord. 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 AJM Contractors Inc. of Clifton, New Jersey.

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

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

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 \$ 3,208,843.62.

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

9. PUBLIC COMMENT

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

Cheryl Brown; 14 Briarhill Rd. – Ms. Brown commented that she has received complaints regarding the senior citizen bus driver.

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

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 December 18, 2017.
2. The general nature of the subject matters to be discussed is pending COAH litigation, and K. Hovnanian redevelopment agreement negotiation.
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.

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

10. ADJOURNMENT

There being nothing further to discuss, the staff council meeting adjourned at 7:43 p.m. by acclaim.